

efforts. The increasingly violent civil war continued to cause exacerbated, and contributed directly to human trafficking crimes to flourish throughout the country. Decree No. 3 of 2011 provides a legal foundation for prosecuting trafficking offenses and protecting victims, but it does not include a clear definition of human trafficking. This decree prescribes a minimum punishment of seven years' imprisonment, a penalty that is sufficiently stringent, though not commensurate with those prescribed for other serious crimes, such as rape. The government adopted Law no. 11/2013 in June 2013, which criminalizes all forms of recruitment and use of children under the age of 18 by armed forces and armed groups. The government made no efforts to prosecute this crime. The government did not report investigating, prosecuting, or convicting suspected trafficking offenders, nor did it investigate, prosecute, or convict government officials complicit in human trafficking, including officials that forcibly recruited and used child soldiers in combat and support roles. The government did not provide anti-trafficking training for officials.

## PROTECTION

The government did not identify or protect trafficking victims. The government failed to protect children from being forcibly recruited and used as soldiers, human shields, and in support roles by government forces and pro-government groups, armed groups, and terrorist organizations. Furthermore, the government subjected children, who were forcibly recruited and used by opposition groups, to arrest, detention, rape, torture, and execution for affiliation with these groups; the government made no efforts to exempt these children from punishment or to offer them any protection services. The government neither encouraged trafficking victims to assist in investigations or prosecutions of their traffickers nor provided foreign victims with legal alternatives to their removal to countries in which they may face hardship or retribution.

## PREVENTION

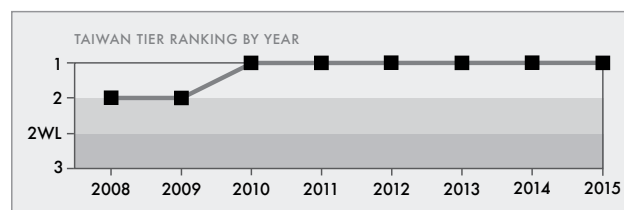
The government did not prevent human trafficking; rather, the government's actions continued to result in human trafficking crimes. The government failed to implement measures to prevent children from being recruited and used as combatants and in support roles by government, government-affiliated armed groups, and by opposition and terrorist organizations. The government did not raise awareness of human trafficking among the general public or officials. The government did not report efforts to reduce the demand for commercial sex acts or forced labor, nor did it prevent child sex tourism abroad. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. Syria is not a party to the 2000 UN TIP Protocol.

## TAIWAN: Tier I

Taiwan is a destination for men, women, and children subjected to forced labor and sex trafficking and, to a much lesser extent, a source of men and women subjected to forced labor and sex trafficking. Most trafficking victims are migrant workers from Indonesia, the Philippines, Thailand, Vietnam, and to a lesser extent, mainland China and Cambodia. Most of Taiwan's over 550,000 migrant workers are hired in their home countries through recruitment agencies and brokers, some of whom are from Taiwan, to perform low-skilled work as home caregivers and domestic workers or in the farming, manufacturing, construction, and fishing

industries. Some migrant workers are charged exorbitantly high recruitment fees, resulting in substantial debts used by brokers or employers as tools of coercion to obtain or retain their labor. After recruitment fee repayments are garnished from their wages, some foreign workers in Taiwan earn significantly less than minimum wage. Domestic workers and home caregivers are especially vulnerable to exploitation, since they often live in their employers' residences, making it difficult to monitor their working and living conditions. Brokers in Taiwan often assist employers in forcibly deporting "problematic" foreign employees should they complain; this enables the broker to fill the empty positions with new foreign workers and continually use debt bondage to control the work force. Documented and undocumented migrant workers, mostly from mainland China, Indonesia, and Vietnam, have experienced indicators of trafficking on Taiwan fishing vessels including non- or underpayment of wages, long working hours, physical abuse, lack of food, and poor living conditions. Women and girls from mainland China and southeast Asian countries are lured to Taiwan through fraudulent marriages and deceptive employment offers for purposes of sex trafficking. Men and women from Taiwan are exploited and vulnerable to trafficking abroad in illegal business operations. Women from Taiwan are recruited through classified ads for employment in Japan, Australia, the United Kingdom, and the United States; after their arrival in these countries, some are forced into prostitution.

Taiwan authorities fully comply with the minimum standards for the elimination of trafficking. During the reporting period, authorities continued to prosecute trafficking offenses, including both forced labor and sex trafficking, trained law enforcement and other officials on trafficking indicators, and raised public awareness of trafficking. There were, however, no arrests or convictions for trafficking violations on Taiwan fishing vessels. Prosecutors and judges continued to demonstrate limited understanding of trafficking crimes by not appropriately recognizing or exhibiting limited awareness of trafficking crimes.



## RECOMMENDATIONS FOR TAIWAN:

Increase efforts to prosecute and convict traffickers under Taiwan's anti-trafficking law; vigorously investigate and prosecute, using the newly established procedures, the owners of Taiwan-owned or -flagged fishing vessels who allegedly commit abuse and labor trafficking onboard long haul fishing vessels; increase efforts to reduce exploitation of migrant workers by brokers, including Taiwan recruiters and Taiwan employers, by simplifying the process of direct hiring and building public awareness of the Direct Hiring Service Center; designate specialized anti-trafficking trainers within Taiwan's law enforcement and judicial sectors to improve the effectiveness of anti-trafficking training, and to decrease the knowledge gap among prosecutors and judges; institutionalize anti-trafficking training for Taiwan authorities being deployed overseas; address gaps in basic labor protections for household caregivers and domestic workers; sentence convicted traffickers to sufficiently stringent punishments; establish a systematic information sharing process to foster more

robust interagency anti-trafficking coordination; disaggregate case information to ensure that reported trafficking cases are correctly recognized; actively operationalize information sharing memoranda of understanding, including for the travel of individuals who have committed child sexual exploitation; and continue efforts to increase public awareness of all forms of trafficking.

## PROSECUTION

Authorities sustained anti-trafficking law enforcement efforts. Taiwan's Human Trafficking Prevention and Control Act (HTPCA) prohibits sex and labor trafficking and prescribes penalties of up to seven years' imprisonment; these penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Despite the anti-trafficking law, authorities prosecuted the majority of trafficking cases under other laws, such as the Criminal Code, and the Children and Youth Sexual Exploitation Prevention Law.

Authorities initiated prosecutions against 71 suspected traffickers, compared with 130 in 2013, and convicted 17 traffickers, compared with 39 in 2013, under the HTPCA; sentences imposed on the majority of the traffickers were six months to less than one year. Under the Children and Youth Sexual Exploitation Prevention Law, authorities initiated prosecutions against 57 alleged traffickers, compared with 59 in 2013, and convicted 25 traffickers, compared with 41 in 2013. Under the Criminal Code, authorities initiated prosecutions against nine alleged sex traffickers, compared with 35 in 2013, and convicted four traffickers, compared with six in 2013. A Cambodian court convicted six Taiwan nationals for enslaving 74 Cambodians onboard Taiwan fishing vessels, but at the end of the reporting period, Taiwan authorities had not yet convicted any traffickers associated with this case (five of six remain at-large in Taiwan) or prosecuted other cases involving abuses onboard Taiwan-flagged vessels. During the year, authorities continued to train law enforcement officers, prosecutors, and judges through various workshops, seminars, and conferences; however, many prosecutors and judges continued to demonstrate a limited understanding of trafficking crimes. Authorities did not report any investigations, prosecutions, or convictions of Taiwan authorities complicit in human trafficking offenses.

## PROTECTION

Authorities sustained efforts to protect victims of trafficking. Authorities identified and assisted 292 trafficking victims (86 sex trafficking victims and 206 forced labor victims), compared with 366 in 2012; all 292 were referred to shelters for assistance. Law enforcement officials used standardized questions and evaluation forms when interviewing and referring potential trafficking victims. The National Immigration Agency (NIA) operated three shelters dedicated to trafficking victims, and the Ministry of Labor subsidized an additional 19 shelters and a 24-hour hotline trafficking victims could access. These shelters provided trafficking victims—both men and women—with medical and psychological services, legal counseling, vocational training, small stipends, interpretation, and repatriation assistance. Authorities encouraged victims to participate in investigations against their traffickers by offering temporary residence and work permits. Authorities made available permanent residence visas to foreign trafficking victims who faced retribution or hardship if they returned to their country of origin. Victims were able to obtain restitution or file civil suits against traffickers, but no victims sought this option. Although victims could receive immunity for crimes committed as a result of being

subjected to trafficking, NGOs reported authorities occasionally treated trafficking victims as criminals.

## PREVENTION

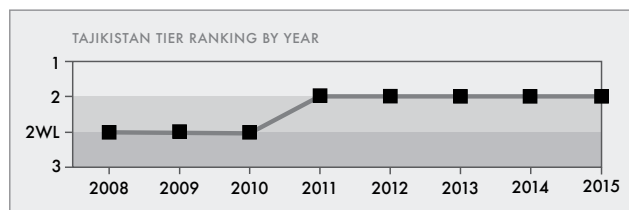
Authorities sustained efforts to prevent trafficking through numerous awareness campaigns, workshops, and conferences. A cabinet-level minister-without-portfolio continued to implement the national plan of action and oversee an interagency working group, which met twice in 2014. Members of the working group established standard operating procedures to handle offshore disputes involving Taiwan-flagged vessels, including incidents of trafficking. Various agencies continued to fund advertisements and public service announcements on human trafficking prevention in newspapers, magazines, and on the radio, and distributed anti-trafficking posters and pocket cards in seven languages. Authorities continued to operate foreign-worker service stations and international airport service counters around Taiwan to assist migrant workers and educate them on their rights. To address exploitation associated with labor recruitment, authorities denied 21 business licenses to those complicit in trafficking and fined 73 individuals. Authorities continued to operate the Direct Hiring Service Center to allow employers to directly hire their labor force, instead of utilizing brokers; the hiring process, however, remained cumbersome and the services were not well-publicized. Taiwan's laws criminalize sexual exploitation of children by Taiwan passport holders traveling abroad, but authorities have not investigated or prosecuted any child sex tourism offenses committed abroad since 2006. Authorities provided anti-trafficking information to personnel posted overseas but did not fully implement pre-departure human trafficking training for new diplomats.

## TAJIKISTAN: Tier 2

Tajikistan is a source and, to a lesser extent, destination country for men, women, and children subjected to forced labor; and a source country for women and children subjected to sex trafficking. Extensive economic migration exposes Tajik men, women, and children to exploitation. Tajik men and women are subjected to forced labor in agriculture and construction in Russia, the United Arab Emirates (UAE), and, to a lesser extent, in neighboring Central Asian countries. Women and children from Tajikistan are subjected to sex trafficking primarily in the UAE and Russia, and also in Saudi Arabia, Kazakhstan, and Afghanistan, as well as within Tajikistan. Women are increasingly vulnerable to trafficking after they are informally divorced from their absent migrant husbands and need to provide for their families. Reports indicate Tajik women and girls are transported to Afghanistan for the purpose of forced marriage, which can lead to sex trafficking and debt bondage. Reports from previous years indicate Tajik children are subjected to sex trafficking and forced labor, including forced begging, in Tajikistan and Afghanistan. Tajik children and adults may be subjected to agricultural forced labor in Tajikistan—mainly during the fall cotton harvest. Afghan and Bangladeshi citizens are vulnerable to forced labor in Tajikistan.

The Government of Tajikistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In 2014, the government adopted a new law, Counteracting Trafficking in Persons and Providing Support to Victims of Trafficking in Persons, which created a legal framework for designating a person a "victim

of trafficking” and established programs to protect and provide services to such victims. However, the government continued to lack procedures to proactively identify trafficking victims among vulnerable populations and remained unable to provide adequate victim protection services. In particular, budget limitations and high turnover of officials with the necessary specialized knowledge to assist trafficking victims constrained such efforts. Nonetheless, the government modestly increased its anti-trafficking law enforcement efforts, investigating and prosecuting an increased number of cases in 2014.



### RECOMMENDATIONS FOR TAJIKISTAN:

Develop standard operating procedures for identifying trafficking victims; vigorously investigate and prosecute suspected trafficking offenses, respecting due process, and increase convictions of traffickers; dedicate funding or provide in-kind assistance specifically for combating trafficking in persons and offering comprehensive victim assistance; continue to enforce the prohibition against the forced labor of children in the annual cotton harvest by inspecting fields during the harvest, in collaboration with local officials and civil society organizations; protect victims and encourage their assistance in the investigation and prosecution of traffickers; train law enforcement to screen women in prostitution for trafficking victimization and ensure sex trafficking victims are not penalized for prostitution offenses; improve the collection of anti-trafficking law enforcement data; ensure that the inter-ministerial commission meets quarterly to continue coordinating governmental anti-trafficking efforts; and provide anti-trafficking training or guidance for diplomatic personnel to prevent their engagement or facilitation of trafficking crimes.

### PROSECUTION

The government modestly increased its anti-trafficking law enforcement efforts. Article 130.1 of the 2004 criminal code prohibits all forms of trafficking, including the use of force, fraud or coercion for the purpose of sexual exploitation and forced labor. The article prescribes penalties of five to 15 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. Article 130.1 fails, however, to criminalize the prostitution of minors as trafficking without regard to the use of coercive means, as required by international law. Article 132 criminalizes recruitment for sexual or other exploitation if done by fraud—but not if done by coercion—and carries a maximum penalty of five years. Contrary to international law, it also does not criminalize child sex trafficking in the absence of force, fraud, or coercion. Article 167 prohibits the buying and selling of children, prescribing five to 15 years' imprisonment; this provision goes beyond the scope of trafficking as it does not require that exploitation be the intent of the transaction. Several other amendments to the criminal code include trafficking crimes, for example, article 130.2, “Use of Slave Labor,” and article 241.2, “Use of minors with the purpose of production of pornographic materials and products.”

The government investigated 28 and prosecuted 22 cases under Article 130.1 in 2014, an increase from four cases investigated and prosecuted in 2013. Trafficking cases may have also been investigated and prosecuted under other penal code articles. There was one conviction under Article 130.1, the same number of convictions as in 2013, with a sentence of eight years' imprisonment. The government compiled law enforcement data across a variety of agencies and may have counted trafficking cases multiple times. The government reported levying fines in 2014 against three farms for forced child labor during the cotton harvest, but did not take law enforcement action. Endemic corruption inhibited law enforcement action during the year; however, the government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

### PROTECTION

The government continued modest efforts to identify and assist trafficking victims. In July 2014, the government adopted a new law that provided an extensive definition of trafficking and other concepts, some of which appear unrelated to the crime of trafficking as addressed in the criminal code, which may create confusion regarding victim identification. The law also outlined victim services, government standards for service delivery among providers, including governmental agencies and NGOs, and a national referral mechanism. Authorities remained without a formal system for identifying and referring victims for assistance during the reporting period, as the referral mechanism remained under review. As law enforcement officials did not attempt to proactively identify trafficking victims among women in prostitution, it was possible officials detained or penalized sex trafficking victims for prostitution crimes. During the reporting period, the government identified and referred 26 victims to international organizations for assistance, an increase from 17 victims in 2013. Civil society groups provided protective services to a total of 78 Tajik trafficking victims in 2014, including 53 victims of forced labor, 23 victims of sex trafficking, and two victims subjected to both.

The government did not directly provide services to victims; rather it relied on civil society organizations, which provided medical and psycho-social care, legal and vocational training and assisted in family reunification. Although the government did not provide financial support to any organizations assisting trafficking victims, it continued to fund the utilities for two shelters in Dushanbe and one shelter in Khujand. The 2014 law does not link victim benefits to a victim's participation in a trial and provides victim services regardless of legal status or prior consent to participate in trafficking activities. The law also provides that foreign victims have the right to request temporary legal residency, which can be extended for one year following the completion of a criminal case. The government continued to conduct anti-trafficking courses for officials and school administrators, respectively.

### PREVENTION

The government continued efforts to prevent human trafficking. The Ministry of Education (MOE) disseminated letters to local governments highlighting prohibitions against the use of child labor in the cotton harvest. Government-funded campaigns targeted potential victims, local officials responsible for preventing trafficking, and school authorities who had previously mobilized children in the cotton harvest. The Committee on Women and Family Affairs continued to conduct informational campaigns to educate school administrators on the illegality of child labor in the cotton

harvest and the MOE conducted inspections of schools in cotton-growing districts to ensure students remained in attendance. Due to lack of funding from traditional foreign government sources, non-governmental entities did not monitor the cotton harvest for forced child labor, which had been the standard practice for the previous four years.

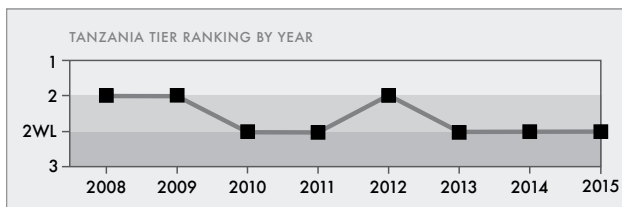
The 2014 law established a framework for the government to address trafficking in persons, including establishing a national anti-trafficking committee and directing the committee to develop a national plan. The government drafted, but has not yet approved, its 2014-2016 national action plan. The inter-ministerial commission, tasked with coordinating governmental anti-trafficking efforts, has not met since September 2013 and, from June 2014 through the end of the reporting period, its chairmanship remained vacant, hindering its oversight of national efforts and ministerial cooperation. The Committee for Youth, Sports and Tourism and the Ministry of Internal Affairs' anti-trafficking department jointly operated a hotline to receive calls from female victims of crime, including trafficking. The government did not provide anti-trafficking training or guidance for its diplomatic personnel; however, the government provided officials updates from the anti-trafficking commission regarding legislation and government decrees. Tajik law requires that entities engaged in labor recruitment abroad obtain licenses from migration authorities. The government did not fine or revoke the licenses of companies using fraudulent recruitment practices. The Tajik Migration Service provided migrants with information on migration and the risk of trafficking prior to their departure abroad. In partnership with the migration service, lawyers employed by an international organization provided legal consultation on migration and trafficking for victims at migration service support centers. Prostitution is illegal in Tajikistan and the government made efforts to reduce the demand for commercial sex by investigating and prosecuting consumers of commercial sex. The government did not report any efforts to reduce the demand for forced labor.

## TANZANIA: Tier 2 Watch List

Tanzania is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. The incidence of internal trafficking is higher than that of transnational trafficking and is usually facilitated by victims' family members, friends, or intermediaries offering assistance with education or finding employment in urban areas. Some unscrupulous individuals manipulate the traditional practice of child fostering—in which poor children are entrusted into the care of wealthier relatives or respected members of the community—to subject children to forced labor. The exploitation of young girls in domestic servitude continues to be Tanzania's largest human trafficking problem, though child sex trafficking, particularly along the Kenya-Tanzania border, occurs as well. Girls are exploited in sex trafficking in tourist areas within the country. Boys are subjected to forced labor, primarily on farms—including as farm laborers, cattle herders, and occasionally hunters—but also in mines and quarries, in the informal commercial sector, in factories, in the sex trade, and possibly on small fishing boats operating on the high seas. Smaller numbers of Tanzanian children and adults are subjected to domestic servitude, other forms of forced labor, and sex trafficking—often by other Tanzanians—in other countries in Africa, the Middle East, Europe, and the United States. Media reports indicate Tanzanian children with physical disabilities are

transported to Kenya for forced begging and Tanzanian girls are subjected to sex trafficking in China. Trafficking victims from other countries—typically children from Burundi and Kenya, as well as adults from South Asia and Yemen—are forced to work in Tanzania's agricultural, mining, and domestic service sectors; some are also subjected to sex trafficking. Citizens of neighboring countries may transit Tanzania before being forced into domestic service and prostitution in South Africa, Europe, and the Middle East. During the reporting period, Nepalese and Indian women were subjected to forced labor and sex trafficking in a Tanzanian casino.

The Government of Tanzania does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government allocated a budget to its anti-trafficking committee for the first time and adopted implementing regulations for the 2008 anti-trafficking law, which formally assign anti-trafficking responsibilities to specific ministries. The government also rescued 22 foreign women subjected to forced labor and sex trafficking in a Dar es Salaam casino and provided them shelter and care, ensured their safe repatriation, and prosecuted and convicted their trafficker; however, the court sentenced the trafficker to a fine *in lieu* of prison time—a severely inadequate penalty. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Tanzania is placed on Tier 2 Watch List for a third consecutive year. Tanzania was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and it has committed to devoting sufficient resources to implement that plan. For a sixth year, the government failed to allocate funding to a victims' assistance fund and relied heavily on NGOs to provide victim services.



## RECOMMENDATIONS FOR TANZANIA:

Increase efforts to enforce the 2008 Anti-Trafficking in Persons Act by prosecuting trafficking offenses, convicting trafficking offenders, and applying stringent penalties—including jail time—upon conviction; implement the act's victim protection and prevention provisions, including by allocating resources to the victim assistance fund; implement policies and procedures for government officials to identify and interview potential trafficking victims—including adults—among vulnerable groups proactively and transfer them to local organizations providing care; begin compiling trafficking-specific law enforcement and victim protection data at the national level; contribute government resources to train judges and prosecutors to clarify the difference between human trafficking and human smuggling; provide additional training to law enforcement authorities on the detection and methods of investigating human trafficking crimes; continue to allocate a budget for the anti-trafficking committee and anti-trafficking secretariat to implement the national action plan to combat trafficking; and implement the 2015-2017 national action plan.



## PROSECUTION

The government made limited law enforcement efforts. The 2008 Anti-Trafficking in Persons Act outlaws all forms of trafficking and prescribes punishments of one to 10 years' imprisonment or a fine, or both. These penalties are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. A provision allowing offenders to pay a fine *in lieu* of serving prison time is disproportionate to the gravity of the crime and inadequate as a potential deterrent. The government failed to provide comprehensive law enforcement statistics during the reporting period. However, the government reported four investigations, five prosecutions, and one conviction during the reporting period; an increase compared to three investigations in the previous reporting period. Four prosecutions remained pending at the close of the reporting period; details of those cases are unknown. The government penalized one convicted trafficker with a fine of TZS 50 million (\$28,900) and required payment of back wages to the 22 victims from Nepal and India subjected to forced labor and sex trafficking; this sentence was severely inadequate and not proportionate to the crime. The government integrated a trafficking component into its standard police academy training program for new recruits; approximately 500 recruits received the training during the reporting period. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses; however, general corruption within the judiciary remained an issue.

## PROTECTION

The government demonstrated a slight increase in efforts to protect victims of trafficking. The government did not collect comprehensive data on the number of victims identified. However, police identified at least 22 adult foreign victims of forced labor and forced prostitution during the reporting period; an increase from 11 victims identified in the previous reporting period. NGOs reported providing services to an additional 54 child victims of labor and sex trafficking. The government did not operate any shelters for trafficking victims and relied on NGOs to provide shelter for victims, though the government provided psychosocial services to victims in shelters, regularly assessed the conditions of the shelters, and required that NGOs send monthly reports to the Department of Social Welfare on shelter operations. However, in one case, police rescued 22 foreign women forced to work as dancers and in prostitution in a local casino without pay. The government placed the women in a guest house, provided them with security and medical care, coordinated with an international organization for additional assistance, and worked with Indian and Nepalese authorities to coordinate their safe repatriation to their home countries.

The newly adopted implementation regulations for the 2008 anti-trafficking law established a number of key protection measures, including guidelines for the identification and referral of trafficking victims to NGO services, allocation of funding for a victims' assistance fund, and a law enforcement and victim identification database; however, none of these protection measures were fully implemented during the reporting period. New regulations for interviewing potential trafficking victims were only approved in January 2015; therefore the government was unable to ensure victims were not punished for crimes committed as a result of being subjected to trafficking during the reporting period. The 2008 anti-trafficking law provides foreign victims legal alternatives

to their removal to countries where their safety or the safety of their families may be endangered; all 22 foreign victims identified during the reporting period requested repatriation to their home countries.

## PREVENTION

The government demonstrated increased efforts to prevent human trafficking. During most of the reporting period, the government lacked funding and the necessary bureaucratic regulations to adequately implement its anti-trafficking efforts. However, in March 2015, the government allocated a budget of TZS 80 million (\$46,200) to its anti-trafficking committee for the first time and adopted implementing regulations for the 2008 anti-trafficking law, which formally assign anti-trafficking responsibilities to specific government ministries and make these activities eligible for funding from the national budget. Additionally, in March 2015, the anti-trafficking committee formally adopted a three-year national action plan. Local officials in the semi-autonomous region of Zanzibar conducted a public awareness campaign across the island through brochures and radio announcements. Immigration officials on the mainland also distributed anti-trafficking brochures at public events in border regions. The government prohibited the promotion of the sex industry, but made no additional discernible efforts to reduce the demand for forced labor or commercial sex acts during the reporting period. Tanzanian troops received specialized anti-trafficking training from a foreign donor prior to their deployment abroad on international peacekeeping missions. The government provided anti-trafficking training for its diplomatic personnel.

## THAILAND: Tier 3

Thailand is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. There are an estimated three to four million migrant workers in Thailand, most from Thailand's neighboring countries—Burma, Laos, and Cambodia. In addition to Thai victims of trafficking, some of these migrant workers are also believed to be forced, coerced, or defrauded into labor or sex trafficking. There are reports that some of those labor trafficking victims are exploited in commercial fishing, fishing-related industries, factories, and domestic work. Some migrant workers who are trafficking victims are deported without proper screening due to inconsistencies in the victim identification process. Some victims are forced into street begging. Sex trafficking remains a significant problem in Thailand's extensive sex trade—often in business establishments that cater to demand for commercial sex.

Many trafficking victims from Burma, Cambodia, Laos, China, Vietnam, Uzbekistan, and India migrate willingly to Thailand seeking employment, often with the assistance of relatives and community members or informal recruitment networks. Registered and unregistered labor brokers serve as intermediaries between job-seekers and employers; some collaborate with employers and, at times, with corrupt law enforcement officials. Some migrant workers incur exorbitant debts, both in Thailand and in countries of origin, to obtain employment and are subjected to debt bondage. Traffickers, including labor brokers of Thai and foreign nationalities, bring foreign victims into Thailand. Brokers and employers reportedly continued to confiscate identification documents. Thai, Burmese, Cambodian, and Indonesian men are subjected to forced labor on Thai fishing boats; some men remain

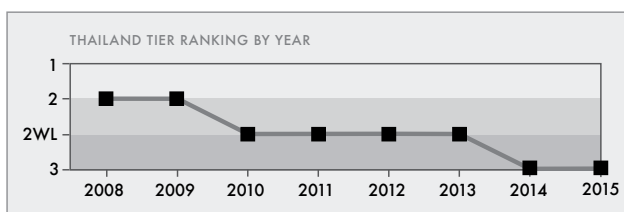
at sea for several years, are paid very little or irregularly, work as much as 18 to 20 hours per day for seven days a week, or are threatened and physically beaten. Some victims of trafficking in the fishing sector were unable to return home due to isolated workplaces, unpaid wages, and the lack of legitimate identity documents or safe means to travel back to their home country. Women, men, boys, and girls from Thailand, Laos, Vietnam, and Burma are subjected to sex trafficking in Thailand. Thailand is also a transit country for victims from China, Vietnam, Bangladesh, and Burma subjected to sex trafficking or forced labor in countries such as Malaysia, Indonesia, Singapore, Russia, South Korea, the United States, and countries in Western Europe.

Thai nationals have been subjected to forced labor and sex trafficking in Thailand and in countries in North America, Europe, Africa, Asia and the Middle East, including Israel. Thai men and women who migrate for low-skilled contract work or agricultural labor are sometimes subjected to conditions of forced labor and debt bondage, and Thai brokers are involved in some of the transactions. Some Thai workers are deceived into incurring exorbitant debts to pay broker and recruitment fees, sometimes using family-owned land as collateral, making them vulnerable to exploitation. Some Thai men are subjected to forced labor on Thai fishing boats that travel throughout Southeast Asia and beyond. Some parents or brokers force children from Thailand—as well as Cambodia and Burma—to sell flowers, beg, or work in domestic service in urban areas. Girls from Thailand, Burma, and Laos, some of whom have false documents, are victims of sex trafficking in brothels, massage parlors, bars, karaoke lounges, hotel rooms, and private residences. Local NGOs report an increasing use of social media to recruit children into sex trafficking and women who may be subjected to sex trafficking. Members of ethnic minorities, stateless persons, and highland persons in Thailand experience abuses indicative of trafficking. Reports indicate separatist groups in southern Thailand continue to recruit and use children to commit acts of arson or serve as scouts.

Some Thai officials are complicit in trafficking crimes and corruption continues to undermine anti-trafficking efforts. In some instances, corrupt officials on both sides of land borders accept payment from smugglers involved in the movement of migrants between Thailand and neighboring countries including Malaysia, Laos, Burma, and Cambodia; some of these migrants subsequently become trafficking victims. Media sources in 2013 reported corrupt Thai civilian and military officials profited from selling Rohingya asylum seekers from Burma and Bangladesh into forced labor on fishing vessels. Some Thai police removed Rohingya men from detention facilities in Thailand and sold them to brokers that transported them to southern Thailand; some were forced to work as cooks and guards in camps or sold into forced labor on farms or in shipping companies. Credible reports indicate some corrupt officials protect brothels and other commercial sex venues from raids and inspections; collude with traffickers; use information from victim interviews to weaken cases; and engage in commercial sex acts with child trafficking victims. Due to lack of trust in government officials, and lack of awareness of their rights, migrant workers, especially those who are undocumented, are fearful of reporting trafficking crimes.

The Government of Thailand does not fully comply with the minimum standards for the elimination of trafficking, and is not making significant efforts to do so. Thailand investigated and prosecuted some cases against corrupt officials involved in trafficking but trafficking-related corruption continued to impede

progress in combating trafficking. Data collection methods began to improve with the implementation of a new database system. The government decreased the numbers of investigations, prosecutions, convictions, and victims identified in 2014. The government increased prevention efforts—including the establishment of a new prime minister-level anti-trafficking committee and passage of ministerial regulations that increased the minimum age of workers in agriculture and on fishing vessels and required mandatory employment contracts, a minimum wage, rest hours, and holidays. The government also passed amendments to its 2008 trafficking law to increase penalties for traffickers and protect whistleblowers. The government passed a new Fisheries Act to replace a 1946 law, which requires better registration and monitoring of vessels and inspection of workers' documents and working conditions. Senior government officials repeatedly expressed their strong commitment to combating trafficking. However, the prosecution of journalists and advocates for exposing traffickers, and statements discouraging media reporting on trafficking crimes undermined some efforts to identify and assist victims and apprehend traffickers. In some provinces, the government made some efforts to screen Rohingya migrants for trafficking indicators and worked with NGOs to assist sex trafficking victims; however there is still a lack of available interpreters for trafficking victims. The government also did not proactively identify many trafficking victims among fishing workers, or irregular migrants.



## RECOMMENDATIONS FOR THAILAND:

Prosecute officials allegedly complicit in trafficking, and convict and punish those found guilty; increase efforts to identify, prosecute and convict traffickers, including those who subject victims to sex trafficking, debt bondage, or forced labor in Thailand's commercial and export oriented sectors; increase understanding of labor trafficking and debt bondage indicators among labor inspectors and law enforcement; designate prosecutors who specialize in human trafficking cases; significantly increase efforts to proactively identify victims of trafficking among vulnerable populations, particularly migrants, deportees, refugees, persons in prostitution, and stateless people; increase training for marine police and navy to detect and stop human trafficking at sea; improve the consistency for victim identification, screening, and interview procedures, and prioritize the rights and safety of potential victims; investigate and improve labor recruitment practices for migrant workers; process and approve all legal status applications at the national, district, and provincial level in a timely manner; continue to increase the availability of interpretation services across government agencies with responsibilities for protecting foreign migrants, refugees, and victims of trafficking; enhance government capacity to implement laws and regulations by providing effective training, especially at state and local levels, and increasing staff dedicated to implement the law; cease prosecuting criminal defamation cases against researchers or journalists who report on human trafficking; establish an environment conducive to robust civil society participation in all facets of human trafficking; allow adult trafficking victims to travel, work, and reside outside shelters in accordance with

provisions in Thailand's anti-trafficking law; increase incentives for victims to cooperate with law enforcement in the investigation and prosecution of trafficking cases, including by providing legal alternatives to the deportation of foreign trafficking victims to countries in which they would face retribution or hardship; develop additional specialized services for child sex trafficking victims and ensure their cases progress quickly; increase anti-trafficking awareness efforts directed at employers and clients of the sex trade, including sex tourists; make efforts to decrease the demand for exploitive labor; continue to increase regional cooperation on anti-trafficking efforts; and improve migrant workers' rights, legal status, and labor migration policies to minimize the risk of trafficking.

## PROSECUTION

The government sustained anti-trafficking law enforcement efforts. The 2008 anti-trafficking law criminally prohibits all forms of trafficking and prescribes penalties ranging from four to 10 years' imprisonment which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. In March 2015, the government amended the law to impose harsher penalties on human traffickers (up to life imprisonment and a maximum fine of 400,000 baht (\$13,333)) and protect whistleblowers. The new laws also give authorities power to temporarily halt operations and immediately suspend licenses of businesses found involved in human trafficking.

The government reported investigating 280 trafficking cases (compared with 674 in 2013), prosecuting 155 traffickers (483 in 2013) and convicting 151 traffickers (225 in 2013). Despite the prevalence of forced labor in Thailand, the government reported only 58 investigations (154 in 2013) involving suspected cases of forced labor and prosecuted only 27 traffickers of forced labor (109 in 2013). Twenty traffickers received prison sentences greater than seven years, and the majority of convicted offenders received sentences of more than two years' imprisonment. The Anti-Money Laundering Office (AMLO) reported that 107 money laundering cases associated with suspected human trafficking are under investigation. In one case the AMLO seized two million baht (\$62,500), and in another case it seized 30 million baht (\$1 million); these cases remained pending in court.

The government investigated ship owners, captains, and brokers for labor trafficking in the commercial fishing industry in four cases related to Ambon Island, each with multiple perpetrators, and identified 32 Thai fishermen who were forced to work on Thai fishing vessels in Indonesia. In the first case, four arrests were made and the case remained pending in court; other cases were in the investigation phase. The government reported investigations involving Rohingya asylum seekers believed to be victims of trafficking are still ongoing. Judges awarded 4.6 million baht (\$141,000) to the plaintiffs in the case of a fourteen-year-old Karen girl who was kidnapped and forced to work as a housemaid and subjected to assault resulting in serious physical injuries; both offenders absconded when released on bail and remained missing at the end of the reporting period. The government reported investigating some criminal networks involving traffickers that subjected victims to sex and labor trafficking; investigations were ongoing at the end of the reporting year. Two perpetrators were sentenced to 4.5 and six years in prison in a 2013 case involving 12 Burmese victims of forced labor. A case involving Thai female sex trafficking victims identified in South Africa in 2013 and a separate case involving forced labor of Thai masseuses recruited to work in South Africa did not result in prosecutions or convictions.

The government continued to provide training to thousands of public officials on trafficking victim identification and the provisions of the anti-trafficking law and reported multiple cooperative international investigations. Challenges with collaboration between police and prosecutors, and frequent personnel changes among law enforcement, prosecutors, and multidisciplinary team members limited the success of prosecution efforts. The government initiated the process to establish a new data collection system that could improve interagency information sharing. More formalized interagency coordination occurred in 2014, including expanded use of multidisciplinary teams. The justice system increased the speed at which it resolved criminal cases for most cases, though some trafficking cases continued to take three years or longer to reach completion. In 2014, courts rendered verdicts in 118 human trafficking cases, including human trafficking cases that were filed prior to 2014. Results showed 90 cases were completed in less than one year; 27 cases took one to two years to reach a verdict, and one case took two to three years. Some suspected offenders fled the country or intimidated victims after judges granted bail, further contributing to a climate of impunity for trafficking crimes. The Office of the Judiciary announced new measures in December 2014 requiring that the verdicts in all human trafficking cases be rendered preferably within six months and prioritizing court procedures related to human trafficking, such as the use of videoconference for testimonies of witnesses outside Thailand and the use of professional translators in court.

The government made some efforts to address official complicity, but corruption and official complicity in trafficking crimes continued to impede anti-trafficking efforts. The government reported investigating and arresting several officials allegedly involved in sex or labor trafficking; most of these cases remained pending prosecution or resulted in officers being removed to inactive posts with no criminal penalties. The criminal court, however, sentenced a senior police medical doctor to eight years', plus an additional 33 months' imprisonment on human trafficking and other related charges; however, he was released on bail. The government reported committing extra resources to fighting corruption and publicly encouraged people to report official complicity; it did not make consistent efforts to proactively investigate, or enforce existing laws and regulations available to combat trafficking-related corruption. The Thai Navy's 2013 defamation lawsuit against two journalists for reporting on trafficking crimes remained pending. The prime minister's public comments in late March 2015 discouraged reporting on trafficking in the fishing sector. Fear of defamation suits or retaliation also likely discouraged journalists from reporting and law enforcement officials from pursuing trafficking cases. New whistleblower laws were passed and are intended to help better protect ordinary citizens and police from frivolous lawsuits.

## PROTECTION

The government sustained efforts to identify and protect trafficking victims. The Ministry of Social Development and Human Security (MSDHS) reported providing assistance to 303 victims at government shelters (compared with 681 in 2013), including 67 Thai victims (305 in 2013) and 236 foreign victims (373 in 2013); 195 were victims of forced labor and the rest were exploited in sex trafficking. Authorities identified an additional 72 Thai victims subjected to sex or labor trafficking overseas; these victims were processed at a government center upon arrival at the Bangkok airport, and most returned to their home communities. The government reported using procedures to screen for victims among vulnerable populations, but proactive screening

efforts remained inadequate and require greater consistency. The government deployed multidisciplinary teams in some cases to interview women and children in prostitution, Thai workers, some Rohingya asylum seekers, Bangladeshi migrants identified during raids or onboard fishing vessels, and other vulnerable populations to screen for indications of trafficking. The government continued to screen for trafficking indicators among fishermen returning to Thailand. Interviews were often brief and conducted in open environments where brokers sometimes were present in the same room. Interpretation services for potential victims remained limited, and poor understanding of trafficking indicators by front-line officers, as well as the lack of private spaces to screen potential victims, may have led to many trafficking victims not being identified.

Quality of victim screening varied depending on the area and the understanding of multidisciplinary team officials. NGOs reported that in some cases, well-trained, designated mobile multidisciplinary teams were very effective in interviewing potential victims and could be good models to be used in areas where local officials have limited experience and understanding of human trafficking. As one example, in the north, NGOs partnered with police to conduct victim-focused multidisciplinary team interviews and are jointly setting up a facility for child victim interviews, with multidisciplinary interview capability. Some law enforcement officers, however, continued to assert that physical detention or confinement was an essential element to confirm trafficking and failed to recognize debt bondage (exploitive debt) or manipulation of undocumented migrants' fear of deportation as non-physical forms of coercion. Officials sometimes failed to acknowledge cases of debt bondage, and the denial of the certification of such cases at times occurred over the objection of social service providers. Investigators and multidisciplinary teams may also have failed to recognize signs of forced labor and bonded labor in cases where victims originally consented to work, but were deceived about working conditions and subjected to trafficking conditions. Many victims, particularly undocumented migrants who feared legal consequences from interacting with authorities, were hesitant to self-identify. The Thai government continued to refer victims to one of nine regional trafficking shelters run by the MSDHS, where they reportedly received counseling, basic legal assistance, and medical care. Navy personnel, marine police, and labor inspectors reportedly lacked adequate training, clear mandates, and resources to effectively inspect for forced labor on fishing vessels. The government did not provide adequate interpretation services or private spaces to screen potential trafficking victims, severely limiting the effectiveness of such efforts, especially for Rohingya victims. Some front-line immigration officers reportedly deported potential labor and sex trafficking victims. There were reports some personnel in a Thai embassy overseas may have been hesitant to respond to a request to assist Thai victims in that country.

Although two-thirds of identified victims were children, the government had limited specialized services for child sex trafficking victims. The government disbanded the Women and Child Centers within Royal Thai Police (RTP) in late 2014. NGOs reported experienced investigators devoted to child cases were not as readily available to cooperate in the identification and protection of child victims. However, police maintained effective cooperation in child sex trafficking cases involving foreign perpetrators. Judicial officials did not always follow procedures to ensure the safety of witnesses; victims, including children, were at times forced to testify in front of alleged perpetrators or disclose personal information such as their address, which put them at serious risk of retaliation. The Supreme Court issued additional formal

guidance in December 2014 to correct procedural problems. NGOs reported concerns over the lack of appropriate options for foreign children whose families were complicit in their trafficking or who could not be identified.

The government issued 57 six-month work permits and visas (compared with 128 in 2013), renewable for the duration of court cases to work temporarily in Thailand during the course of legal proceedings. Among adult female victims who received these permits, some were not allowed to work due to the government's assessment it would be unsafe or unhealthy for them to do so. Women without work permits were typically required to stay in government shelters and could not leave the premises unattended until Thai authorities were ready to repatriate them. There were reports that victims, including those allowed to work, were only given a copy of their identity documents and work permits, while the original documents were kept by government officials. The government disbursed 3.7 million baht (\$117,000) from its anti-trafficking fund to 463 victims (525 in 2013). The government filed petitions on behalf of 57 victims (48 in 2013) and received civil compensation of 8.6 million baht (\$269,000). A 2005 cabinet resolution established stateless trafficking victims in Thailand could be given residency status on a case-by-case basis; however, the Thai government had yet to report granting residency status to a foreign or stateless trafficking victim for nine consecutive years. Thai law protects victims from being prosecuted for acts committed as a result of being subjected to trafficking; however, the serious flaws in the Thai government's victim identification procedures and its aggressive efforts to arrest and deport immigration violators increased victims' risk of being re-victimized and treated as criminals. Unidentified victims were likely among the migrants who were subjected to government citations for lack of proper documentation during the year and were detained in sometimes-overcrowded immigration detention facilities. The government did not provide legal alternatives to victims who faced retribution or hardship upon return to their home countries; foreign victims were systematically repatriated if they were unwilling to testify or following the conclusion of legal proceedings.

## PREVENTION

The government increased efforts to prevent trafficking. The government increased funding significantly to combat human trafficking. It conducted campaigns through the use of radio, television, billboards, and handouts to raise public awareness of the dangers of human trafficking throughout the country. Nonetheless, awareness efforts in many areas continued to concentrate on Thai populations and did not adequately reach out to migrant populations, who are also vulnerable to trafficking. In addition, advocates expressed concerns that ongoing cases against an anti-trafficking advocate, in retaliation for his research documenting alleged trafficking violations in a food processing factory in Thailand, had the effect of silencing other human rights advocates. The criminal defamation lawsuit filed by the Thai Navy against two journalists in 2013 for reporting on trafficking of ethnic Rohingya in Thailand continued in 2014. These developments did not foster a climate conducive to preventing trafficking, identifying victims, and apprehending traffickers.

The prime minister chaired a new committee to combat trafficking in persons and established new subcommittees to address trafficking issues, inviting more ministries to be involved in this effort, and acknowledged human trafficking as a national priority. The



Ministry of Labor established centers in 10 provinces to provide information and services to Thai workers seeking employment overseas; however, the Department of Employment remained ineffective in regulating the excessive fees incurred by these workers in order to obtain employment abroad or in Thailand, which made them vulnerable to debt bondage or exploitative working and living conditions. The government registered and offered work permits to 1.6 million migrant workers in an attempt to regularize their legal status in Thailand. National verification by origin countries (Burma, Cambodia, and Laos) still remained pending at the end of the reporting year. The government did not make efforts to regulate service providers or employment service agencies that provided service to migrant workers. Due to proactive efforts by some officials, 900 hill tribe members received citizenship. While national-level officials seemed to have a greater understanding that statelessness may be a risk factor for trafficking, this understanding had not necessarily become a standard at the municipal and regional levels. Government labor inspections of 392 worksites led to identification of labor violations in 32 worksites but not to cases of labor trafficking. The government acknowledged the labor shortage was due in large part to some workers' unwillingness to work in the fishing industry due to poor working and living conditions; the government made efforts to improve these conditions by passing new labor laws that increased the minimum age in the fishing industry to 18 years old, guaranteed minimum wage, and required employment contracts, rest periods, and holidays. The government amended the 68-year-old Fishery Act, which led to registering fishing boats and workers and conducting more multidisciplinary team inspections onboard vessels to monitor labor conditions. Weak law enforcement, inadequate human and financial resources, lack of systematic data linkage among relevant agencies, and fragmented coordination among regulatory agencies in the fishing industry contributed to overall impunity for exploitative labor practices in this sector.

In 2014, the government revoked the licenses of one labor recruitment agency, suspended the license of one agency, filed criminal charges against three companies, and investigated 156 illegal brokers/agents that sent Thai workers abroad. In an effort to prevent child sex tourism, the government denied entry to 98 known foreign sex offenders and launched a public awareness campaign warning tourists of the strict penalties for engaging in sex with minors. The government reported operating a surveillance network on child sex tourism by training business operators in high-risk areas to identify and report cases to the police. The government took steps to decrease the demand for commercial sex acts, including investigating cases against 772 individuals accused of procuring or soliciting prostitution; it is unclear how many resulted in prosecutions or convictions in 2014. The government also made progress towards finalizing legislation that criminalizes the possession of child pornography. The government, however, did not report on efforts to decrease the demand for forced labor. The government briefed diplomats on human trafficking before their departure to overseas posts.

## TIMOR-LESTE: Tier 2 Watch List

Timor-Leste is a source and destination country for men, women, and children subjected to forced labor and sex trafficking. Timor-Leste may be a source for women and girls sent to Indonesia and other countries for domestic servitude. Timorese women and

girls from rural areas are lured to the capital with the promise of better employment or education prospects and subjected to sex trafficking or domestic servitude; at least one chief has been complicit in this form of trafficking. Timorese family members place children in bonded domestic and agricultural labor to pay off family debts. Foreign migrant women, including those from Indonesia, China, and the Philippines, are vulnerable to sex trafficking in Timor-Leste. Traffickers allegedly retain the passports of victims and rotate sex trafficking victims in and out of the country every few months. Transnational traffickers may be members of Indonesian or Chinese organized crime syndicates. According to some NGOs, men and boys from Burma, Cambodia, and Thailand are forced to work on foreign fishing boats operating in Timorese waters where they face conditions of confinement, no medical care, and malnutrition. Police may accept bribes from establishments involved in trafficking or from traffickers attempting to cross borders illegally. Police have been identified as clients of commercial sex venues investigated for suspected trafficking.

The Government of Timor-Leste does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, it prosecuted and convicted a former village chief for child sex trafficking offenses. Authorities drafted guidelines for police to screen potential victims for indicators of trafficking, though this was not finalized or implemented during the year. Despite these measures, the government did not demonstrate evidence of overall increasing anti-trafficking efforts compared to the previous reporting period, therefore, Timor-Leste remains on Tier 2 Watch List. Authorities increased efforts to investigate potential sex trafficking crimes, but victim identification efforts remained inadequate, and law enforcement officials received limited training to address this gap. The government rescued two child victims, with support from an NGO, but it did not report providing services to any victims. The government conducted an anti-trafficking awareness campaign for students in seven regions of the country.



### RECOMMENDATIONS FOR TIMOR-LESTE:

Enact comprehensive anti-trafficking legislation that is consistent with international law, includes protections for victims, and provides clear guidance on roles and responsibilities for implementation; train front-line officials to implement procedures for the proactive identification of victims among vulnerable populations—such as women and children in prostitution and domestic work and migrant workers on fishing vessels—and refer them to protective care; proactively initiate investigations and prosecutions of trafficking offenses, and convict and punish traffickers, including complicit officials; finalize a national plan of action, designate a lead agency to coordinate these efforts, and dedicate resources to the plan's implementation; conduct training for prosecutors and judges, including on how to integrate victim protection throughout the duration of court proceedings; and increase anti-trafficking education and awareness campaigns for the public.

## PROSECUTION

The government made modest progress in anti-trafficking law enforcement efforts by achieving one conviction, compared with zero in 2013. Timor-Leste's penal code prohibits and punishes all forms of trafficking through Articles 163 and 164; Articles 162 and 166 prohibit slavery and the sale of persons. These articles prescribe sufficiently stringent penalties ranging from eight to 25 years' imprisonment, which are commensurate with those prescribed for other serious crimes, such as rape. Extrajudicial mediation may have been used in place of prosecution, limiting victims' access to justice and the deterrent effect of prosecutions and convictions. In late 2014, the Ministry of Justice held a public consultation on draft anti-trafficking legislation in development since 2009.

The government did not provide statistics regarding anti-trafficking law enforcement efforts. Media reports documented one investigation of suspected child sex trafficking initiated in February 2015, and authorities reported investigating an unknown number of pimping cases for potential trafficking crimes. A local NGO reported that a former village chief was prosecuted and convicted for child sex trafficking and sentenced under trafficking and other statutes to more than 15 years' imprisonment in early 2015. At the close of the reporting period, he had not yet begun to serve his sentence. This is an increase from no investigations, prosecutions, or convictions in the previous year. In a separate case, a police officer suspected of forced child labor offenses retained his position while he was under investigation. Judges and prosecutors largely lacked expertise in applying anti-trafficking laws effectively. Police reported using their own funds to pursue trafficking investigations due to inadequate resource allocation from the government. Foreign donors provided anti-trafficking training to Timorese law enforcement officials.

## PROTECTION

The Government of Timor-Leste demonstrated negligible efforts to protect victims. The government did not provide protection to any trafficking victims in 2014. Authorities reported police referred 14 individuals to the Ministry of Social Solidarity (MSS) to receive services, but MSS officials determined none of them were trafficking victims. An NGO reported working with law enforcement and MSS officials to rescue a child subjected to forced labor in the home of a police officer and his wife and, in February 2015, authorities rescued a child sex trafficking victim from a hotel in Dili. Although a protocol existed for the identification of victims and referral to NGOs for shelter, the government did not implement it. Identified female victims could be eligible to receive limited services available to victims of domestic violence, though local experts report the quality of care is poor and trafficking victims' access was limited. While government policy did not restrict victim services based on gender, NGOs noted a lack of adequate resources for providing services to male victims. The government did not allocate any funds specifically to assist victims of trafficking, but it continued to provide funding to an NGO that could provide shelter and social services to trafficking victims. Local experts reported some cases may not have been identified as trafficking, even when victims came into contact with authorities. During the year, the chief inspector of the national police developed a document with guidelines for screening potential victims, though this was not formally approved or disseminated during the reporting period.

Authorities did not screen for indicators of trafficking among vulnerable groups, such as individuals in prostitution; government officials acknowledged some victims may have been among those arrested and deported, particularly foreign women in prostitution apprehended for immigration violations. Local NGOs noted the overall lack of incentives to cooperate with law enforcement may have left some victims unidentified or unwilling to participate in the investigation and prosecution of traffickers. Government policy authorized a temporary (two-year) legal alternative to the removal of victims to countries where they may face retribution or hardship, though no victims were granted this status in 2014.

## PREVENTION

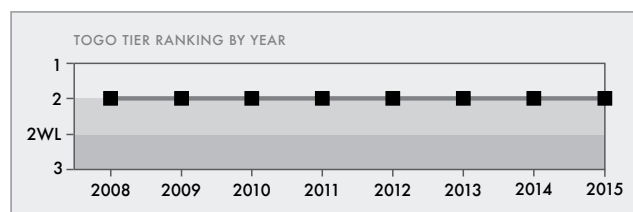
The Government of Timor-Leste demonstrated some efforts to prevent trafficking. The government distributed literature in local communities about citizens' rights, including information on trafficking, and it provided funding to an NGO to conduct an anti-trafficking awareness campaign for youth in seven regions. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government's inter-ministerial trafficking working group did not meet during the reporting period, and the draft national plan of action remained pending formal approval. The government did not take measures to reduce the demand for forced labor or commercial sex acts.

## TOGO: Tier 2

Togo is a source and transit country for men, women, and children subjected to forced labor and sex trafficking. The majority of Togolese victims are exploited within the country. Forced child labor occurs in the agricultural sector—particularly on coffee, cocoa, and cotton farms—as well as in stone and sand quarries. Children from rural areas are brought to the capital, Lome, and forced to work as domestic servants, roadside vendors, and porters, or exploited in prostitution. The western border of the Plateau region, which provides easy access to major roads leading to Accra, Ghana and Lome, was a primary source for trafficking victims during the reporting period. Near the Togo-Burkina Faso border, some religious teachers, known as *marabouts*, forced Togolese boys into begging. Children from Benin and Ghana are recruited and transported to Togo for forced labor. Togolese girls and, to a lesser extent, boys are transported to Benin, Gabon, Nigeria, Ghana, Cote d'Ivoire, and the Democratic Republic of the Congo and forced to work in agriculture. Traffickers exploit Togolese men for forced labor in agriculture and Togolese women as domestic servants in Nigeria. Togolese women are fraudulently recruited for employment in Saudi Arabia, Lebanon, the United States, and Europe, where they are subsequently subjected to domestic servitude or forced prostitution.

The Government of Togo does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government reported increased numbers of investigations, prosecutions, and convictions of traffickers for child trafficking crimes in 2014 compared to the previous reporting period. It also increased by five the number of labor inspectors. The government identified 711 potential trafficking victims; however, it is unknown whether it provided services to these victims. The government did not demonstrate any tangible efforts to address trafficking of adults—failing to

report any efforts to investigate such cases, identify or assist adult victims, or enact draft legislation to prohibit this form of the crime for the eighth year in a row.



## RECOMMENDATIONS FOR TOGO:

Enact draft legislation prohibiting the forced labor and forced prostitution of adults; increase efforts to prosecute and punish trafficking offenders, to include using existing statutes to prosecute trafficking crimes committed against adults; develop a formal system to proactively identify trafficking victims, including adults, and train law enforcement, immigration, and social welfare officials on such procedures; effectively track the number of trafficking victims who receive services from the government, are referred to NGOs, or are returned to their families; develop a system among law enforcement and judicial officials to track suspected human trafficking cases and prosecution data; allocate sufficient funds to operate the Tokoin and Oasis centers; and increase efforts to raise public awareness about the dangers of human trafficking, including the trafficking of adults.

## PROSECUTION

The government increased law enforcement efforts against child trafficking, but did not demonstrate tangible efforts to address trafficking of adults. Togolese law does not prohibit all forms of trafficking or criminalize the sex trafficking of adults. Article 4 of the 2006 labor code prohibits forced and compulsory labor, though its prescribed penalties of three to six months' imprisonment are not sufficiently stringent, and its definition of forced or compulsory labor includes some exceptions that constitute trafficking. The 2007 child code prohibits all forms of child trafficking and prescribes penalties of two to five years' imprisonment, which are sufficiently stringent, but not commensurate with those prescribed for other serious crimes, such as rape. The 2005 Law Related to Child Smuggling prescribes prison sentences of three months' to 10 years' imprisonment for abducting, transporting, or receiving children for the purposes of exploitation. Despite eight years of the *TIP Report* recommending the enactment of legislation criminalizing the trafficking of adults, the government did not take action during the reporting period to enact its draft legislation, which has remained pending since 2009.

The government reported 103 investigations, 76 prosecutions, and 54 convictions of trafficking offenders; an increase from the 85 investigations, 62 prosecutions and 40 convictions in 2013. It is unclear how many of these cases actually involved trafficking charges, as the government was unable to provide the details of these cases. The government did not provide any trafficking-specific training to its law enforcement officials. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. Experts reported judges were often reluctant to convict or fine parents who trafficked their children as they felt it would exacerbate the economic situation that drove a parent to commit the crime.

## PROTECTION

The government sustained efforts to provide modest protection to child trafficking victims. In 2014, the government reported its identification of 712 potential victims of child trafficking, including 351 boys and 361 girls, compared with 580 identified in 2013; the majority of these children were intercepted and rescued prior to reaching their destinations, where they would have likely faced exploitation, typically as farm laborers or domestic servants. The government did not report the number of children referred to care facilities. Of the victims, 281 originated from Anie, a prefecture in the Plateaux region. The government did not identify any adult victims of trafficking.

In Lome, the Ministry of Social Affairs (MSA) continued to run a toll-free 24-hour helpline, *Allo 10-11*, which received an unknown number of calls regarding child trafficking and other forms of child abuse. The National Committee for the Reception and Social Reinsertion of Trafficked Children (CNARSEVT), Togo's national anti-trafficking committee comprised of government officials and NGOs, continued to operate jointly with the police an *ad hoc* referral system to respond to hotline tips. The MSA continued to operate two shelters; the Tokoin Community Center served as an intermediary shelter for child victims before transfer to care facilities managed by NGOs, while the Oasis Center provided shelter, legal, medical, and social services to child victims up to age 14. The government was unable to provide the total budget for victim assistance and protection.

CNARSEVT does not have procedures in place to facilitate the return and reintegration of Togolese nationals in a systematic fashion. The government did not offer temporary or permanent residency status to foreign victims facing hardship or retribution upon return to their country of origin. The government does not have a formal process in place to encourage victims to participate in the investigation and prosecution of their traffickers, and it is unclear whether any victims did so during the reporting period. There were no reports of child victims being penalized for unlawful acts committed as a direct result of being subjected to trafficking; the government does not consider adults as trafficking victims and, therefore, some unidentified adult victims may have been penalized for such crimes.

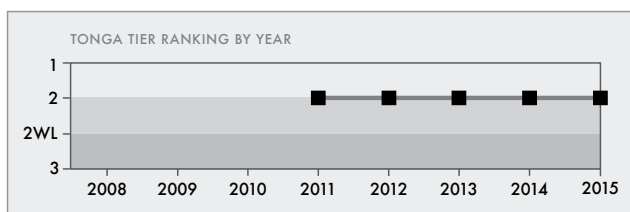
## PREVENTION

The government sustained minimal efforts to prevent child trafficking during the year and showed no discernible efforts to prevent adult trafficking. The government employed 86 labor inspectors in the five regions of Togo during the reporting period, an increase of five inspectors from the previous year. The government reduced the demand for forced labor by outlawing and closing unlicensed sand and rock quarries, which commonly exploit children for forced labor. Additionally, the MSA initiated a program to partner with 30 traditional religious leaders to eliminate the practice of religious "apprenticeships"—a practice in which children are entrusted to religious leaders and are subsequently exploited in forced begging, forced domestic work, or sexual slavery when parents are unable to pay school fees. Although the government released a report on commercial child sexual exploitation in Togo in 2013, it did not take any discernible measures to decrease the demand for commercial sex acts. The government provided anti-trafficking training to Togolese troops prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## TONGA: Tier 2

Tonga is a destination country for women subjected to sex trafficking and, to a lesser extent, a source country for women and children subjected to domestic sex trafficking and forced labor. East Asian women, especially those from China, are prostituted in clandestine establishments operating as legitimate businesses; some East Asian women are recruited from their home countries for legitimate work in Tonga, paying large sums of money in recruitment fees, and upon arrival are forced into prostitution. Some Tongan women and children are reportedly subjected to involuntary domestic servitude.

The Government of Tonga does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the government held a national human trafficking workshop facilitating the training of 15 Tongan officials. In addition, it provided 50,000 pa'anga (\$26,200) to an NGO that assists women and child victims of crime, including potential trafficking victims. The government, however, failed to identify or directly assist any victims or make any law enforcement efforts using the newly passed anti-trafficking law. The government also did not make progress in establishing a national coordinating body on human trafficking issues or in developing anti-trafficking awareness campaigns.



### RECOMMENDATIONS FOR TONGA:

Adopt procedures to proactively identify trafficking victims among vulnerable groups; increase training for law enforcement officials and labor inspectors on human trafficking, including on how to identify and assist victims; increase efforts to investigate and prosecute trafficking crimes and punish traffickers; provide Asian language interpretation services to facilitate identification of foreign victims and their subsequent referral to care and cooperation with law enforcement; enact a law or establish a policy to provide explicit protections for trafficking victims, such as restitution, legal and medical benefits, and immigration relief; develop and conduct anti-trafficking information and education campaigns; investigate, prosecute, and punish incidences of child sex trafficking and raise awareness of the problem; develop a national action plan; and accede to the 2000 UN TIP Protocol.

### PROSECUTION

The government made negligible anti-trafficking law enforcement efforts. The Counter Terrorism and Transnational Organized Crime Act does not prohibit all forms of trafficking because it defines trafficking only as a transnational crime. This law prescribes penalties of up to 15 years' imprisonment for trafficking offenses involving adult victims and 20 years' imprisonment for offenses involving children; these penalties are sufficiently stringent and commensurate with penalties for other serious crimes, such as rape. Since convicting its first trafficker in April 2011, the government has not investigated any suspected trafficking cases or identified any

trafficking victims. In partnership with a foreign donor, the attorney general's office led a human trafficking workshop for Tongan officials in May. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

### PROTECTION

The government made negligible efforts to protect trafficking victims. The government did not identify or provide protective services to any victims during the reporting period. It did not develop or employ systematic procedures for the identification of victims among at-risk groups, such as undocumented migrants or women in prostitution. The government has procedures for referring crime victims to an NGO service provider for assistance but did not use these procedures for the referral of trafficking victims to care. The government provided 50,000 pa'anga (\$26,200) to one local NGO for operations to assist women and child victims of crime; although trafficking victims were eligible to use these services, no identified trafficking victims benefited from its services in 2014. Under the Immigration Act, the principal immigration officer has broad discretionary authority to grant trafficking victims permits to stay in the country for any length of time necessary for their protection. Victims could be granted asylum in Tonga if they feared retribution or hardship in their country of origin, though no trafficking victim has ever requested asylum. Victims have the ability to file civil cases against their traffickers, but none filed such cases in 2014.

### PREVENTION

The government made negligible efforts to prevent human trafficking. The government did not develop a national action plan to combat trafficking, establish a coordinating body to spearhead anti-trafficking efforts, or conduct educational campaigns to increase awareness of trafficking in Tonga. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. It also did not take action to reduce the demand for commercial sex acts or forced labor during the reporting period. Tonga is not a party to the 2000 UN TIP Protocol.

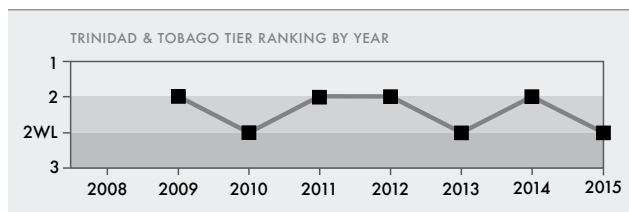
## TRINIDAD AND TOBAGO: Tier 2 Watch List

Trinidad and Tobago is a destination, transit, and possible source country for adults and children subjected to sex trafficking and forced labor. Women and girls from the Dominican Republic, Guyana, Venezuela, and Colombia are subjected to sex trafficking in brothels and clubs, with young women from Venezuela especially vulnerable. Economic migrants from the Caribbean region, especially Guyana, and from Asia are vulnerable to forced labor. Victims have been subjected to forced labor in domestic service and the retail sector. Immigration officials note an increase in international criminal organizations' involvement in trafficking, and NGOs report young boys are coerced to sell drugs and guns. In a break with common practice, some traffickers have recently allowed victims to keep their passports, removing a common indicator of human trafficking in an attempt to avoid detection. Many other traffickers continue to confiscate victims' passports and travel documents. Economic migrants who lack legal status may be exposed to various forms of exploitation and abuse indicative



of trafficking. Trinidad and Tobago experiences a steady flow of vessels transiting its territorial waters, some of which may be engaged in illicit and illegal activities, including forced labor in the fishing industry. Complicity by police and immigration officials in trafficking crimes impeded anti-trafficking efforts. Law enforcement and civil society reported some police and immigration officers facilitated trafficking in the country, with some law enforcement officials directly exploiting victims. Anti-trafficking stakeholders reported some police officers had ties to sex trade establishments, which is likely to inhibit law enforcement's willingness to investigate allegations of trafficking in the sex trade.

The Government of Trinidad and Tobago does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The anti-trafficking unit sustained efforts to identify trafficking victims and refer them to care. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Trinidad and Tobago is placed on Tier 2 Watch List. The government investigated trafficking offenses—including potentially complicit law enforcement and immigration officials—but initiated only one prosecution against a suspected trafficker under its 2011 anti-trafficking law, a significant decrease compared with the 12 prosecutions during the previous reporting period. Immigration and police officers have been implicated in facilitating sex trafficking. The government has yet to convict any individuals under its anti-trafficking law and did not develop a national plan of action as mandated under the law.



## RECOMMENDATIONS FOR TRINIDAD AND TOBAGO:

Prosecute cases investigated under the 2011 Trafficking in Persons Act and convict and sentence traffickers, including complicit immigration and law enforcement officials; continue to devote adequate resources to the anti-trafficking unit to carry out its mandate in the investigation of trafficking crimes and the identification and protection of victims and ensure those resources are effectively allocated; develop a national action plan to address law enforcement efforts, victim care, and interagency coordination related to trafficking crimes; formalize and widely disseminate procedures to guide all front-line officials in the identification and referral of potential victims, especially among foreign women in prostitution, migrant workers, and children; increase and provide adequate funding to NGOs to care for victims; continue training and outreach to educate officials about the manifestations of trafficking in the country; and implement a national public awareness campaign that addresses all forms of trafficking, including the prostitution of children and forced labor.

## PROSECUTION

The government decreased its anti-trafficking law enforcement efforts. The Trafficking in Persons Act of 2011 prohibits both sex trafficking and forced labor and contains extensive victim

protections. It prescribes penalties of 15 years' to life imprisonment, with fines, for trafficking crimes. The Children Act (2012)—which has yet to enter into force—prescribes penalties of 10 years' to life imprisonment for subjecting a child to prostitution, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. During the reporting period, the government's anti-trafficking unit investigated 35 possible cases of trafficking and confirmed four of the 35 were trafficking, including one forced labor and three sex trafficking cases. The government initiated the prosecution of one suspected sex trafficker under the 2011 anti-trafficking law, a decrease from the initiation of prosecutions against 12 defendants in 2013. The government has yet to convict a trafficker; all prosecutions from previous years remained pending, though one defendant died. The counter-trafficking unit led efforts to investigate sex trafficking and forced labor in the country and included a deputy director, police and immigration officers, a communications director, and a legal advisor; the director resigned in 2014, and the unit was without permanent leadership at the end of the reporting period. The unit trained more than 100 government officials on trafficking indicators and collaborated with authorities in Venezuela to investigate a suspected trafficking ring. In December, the counter-trafficking unit identified a trafficking network in which immigration and police officers were implicated in facilitating the sex trafficking of Venezuelan women by helping to regularize victims' immigration status and providing protection to the operation. The investigation was ongoing at the end of the reporting period. The government did not report any new investigations, prosecutions, or convictions of government employees complicit in trafficking offenses; prosecutions against three law enforcement officials for trafficking remained ongoing.

## PROTECTION

The government sustained efforts to identify and protect trafficking victims. The government identified and referred eight foreign trafficking victims to care—six sex trafficking and two forced labor victims, seven female and one male victim—compared with nine victims identified in 2013. The counter-trafficking unit partnered with NGOs to provide services to victims. NGOs reported deficiencies in the counter-trafficking unit's ability to arrange assistance for victims, which they attributed to decreased engagement between the unit and service providers. The counter-trafficking unit spent approximately 1 million Trinidad and Tobago dollars (\$157,000) on victim care and protection. It provided funding to NGOs that in turn provided direct care and assistance; however, experts reported the government did not effectively allocate funding and resources to NGOs and other service providers. After an initial security assessment by the government, victims were allowed freedom of movement while staying in NGO-run shelters.

The counter-trafficking unit established standard operating procedures for reporting suspected trafficking cases. Immigration officials reported using the operational guide for victim identification, though procedures remained *ad hoc* in practice, and limited interagency coordination hindered progress. The government did not punish any identified trafficking victims for crimes committed as a direct result of a trafficking situation; however, unidentified victims were vulnerable to being inadvertently punished or charged with immigration or prostitution violations. Two of the victims identified during the reporting period, both Venezuelan women, were temporarily held in immigration detention after their traffickers released them. The counter-trafficking unit intervened for their release and referred them to care. The government

provided three foreign trafficking victims with work and residence permits to remain in the country to assist law enforcement in trafficking investigations, a best practice in victim protection and reintegration. Most foreign victims provided a statement prior to repatriation. Victims that chose to participate in the trial process were afforded witness protection and were able to return to their home countries between court hearings. Some NGOs raised concerns the counter-trafficking unit did not always adhere to best practices in victim assistance. The government partnered with an internal organization and victims' home governments to ensure safe and responsible repatriation for victims.

## PREVENTION

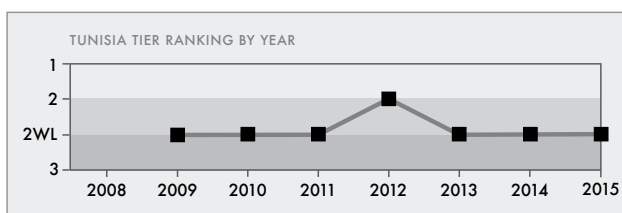
The government sustained limited efforts to prevent trafficking. NGOs engaged in anti-trafficking work, however, reported a continued lack of awareness among government stakeholders and the general population. The government established an inter-ministerial national taskforce on trafficking in accordance with the anti-trafficking law. The taskforce convened once during the reporting period and did not develop a draft national plan of action, as mandated under its law. The counter-trafficking unit drafted, but did not release, a public report on government anti-trafficking efforts in 2014. The government did not launch a sufficient country-wide official awareness campaign to educate the public and officials about sex trafficking and forced labor. In March 2015, the counter-trafficking unit launched a toll-free hotline to receive reports of suspected human trafficking cases. The government provided anti-trafficking training or guidance for its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts. Authorities did not report any cases of child sex tourism investigated or prosecuted during the reporting period.

## TUNISIA: Tier 2 Watch List

Tunisia is a source, destination, and possible transit country for men, women, and children subjected to forced labor and sex trafficking. According to a baseline study conducted in 2012, Tunisian youth are subjected to various forms of trafficking which appear to be consistent with previously reported patterns. According to the study, Tunisian girls, mainly from the northwest, work as domestic servants for wealthy families in Tunis and major coastal cities. Some child domestic workers experience restrictions on movement, physical and psychological violence, and sexual abuse. International organizations have reported an increased presence of street children and rural children working to support their families in Tunisia since the 2011 revolution; according to the baseline study, these children are vulnerable to forced labor or sex trafficking. Tunisian women have reportedly been forced into prostitution under false promises of work both within the country and elsewhere in the region, such as Lebanon, the United Arab Emirates, and Jordan. Women from West and East Africa may be subjected to forced labor as domestic workers. Migrants fleeing unrest in neighboring countries continue to be vulnerable to trafficking. Security officials report organized gangs force street children to serve as thieves and beggars and to transport drugs.

The Government of Tunisia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking

efforts compared to the previous reporting period; therefore, Tunisia is placed on Tier 2 Watch List for a third consecutive year. Tunisia was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and it has committed to devoting sufficient resources to implement that plan. Parliament did not pass draft anti-trafficking legislation. The government reported investigating potential trafficking crimes in 2014 and using existing laws to prosecute trafficking offenders for crimes related to trafficking. It did not, however, provide precise data on the number of convictions or the length of sentencing. The government did not fully implement victim identification guidelines and the national referral mechanism. In a positive change from the previous reporting period, in 2014 the government identified trafficking victims and provided them protection services, including shelter, dedicated specifically for such victims.



## RECOMMENDATIONS FOR TUNISIA:

Urgently enact anti-trafficking legislation that prohibits and adequately punishes all forms of human trafficking consistent with the 2000 UN TIP Protocol; in the absence of a new law, use existing criminal statutes to prosecute trafficking offenses, and convict and punish offenders with imprisonment; implement and utilize formal procedures to proactively identify trafficking victims among vulnerable groups, such as street children, undocumented migrants, girls and women in domestic service, and persons in prostitution; provide adequate protection services, including shelter, for all trafficking victims as distinct from other vulnerable groups, and expand efforts to ensure shelter staff are appropriately trained to provide trafficking victims with specialized care; fully implement the national victim referral mechanism to ensure all trafficking victims can access protection services; ensure victims are not punished for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution or immigration violations; continue to conduct anti-trafficking trainings for all officials; and continue to implement anti-trafficking awareness campaigns.

## PROSECUTION

The government demonstrated minimal anti-trafficking law enforcement efforts. The absence of an anti-trafficking law hindered law enforcement efforts, including data collection and case management, and contributed to the government's inability to differentiate between human trafficking and human smuggling crimes. In various disparate statutes, Tunisia's penal code prohibits some forms of human trafficking but prescribes penalties that are not sufficiently stringent or commensurate with penalties prescribed for other serious crimes, such as rape. The penal code prescribes only one to two years' imprisonment for forced child begging and 10 years' imprisonment for capturing, detaining, or sequestering a person for forced labor. The penal code prescribes

five years' imprisonment for forced prostitution of women and children, whereas the penalties prescribed for rape range from five years' imprisonment to the death penalty. The government did not report data on prosecutions and convictions of human trafficking offenders, though it reported data on trafficking-related crimes, such as begging, prostitution, and labor violations. Tunisian authorities reportedly investigated 25 potential trafficking cases involving 59 victims in 2014. In May 2014, in partnership with an international organization, the government organized an anti-trafficking conference for Tunisian officials and experts from governments in the region and international organizations. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

## PROTECTION

The government demonstrated some progress in its victim identification and protection efforts. Judicial police reportedly identified 59 trafficking victims, and the Ministry of Social Affairs (MSA) provided protection services to 24 victims in 2014—an improvement from 2013 when the government did not identify or protect any trafficking victims. In February 2015, three MSA-operated social centers for vulnerable populations in Tunis, Sousse, and Sfax began providing facilities specifically dedicated to trafficking victims with trained personnel. These centers were available to all trafficking victims regardless of nationality and gender. The center in Tunis held a dedicated office for male and female trafficking victims with a trained social worker and offered medical and psychological exams; it provided services to 24 trafficking victims from April 2014 to February 2015. Additionally, under the auspices of the MSA and the Ministry of Women's Affairs, the government continued to operate several centers providing services to vulnerable groups, including both foreign and domestic trafficking victims. These centers provided various services, such as shelter, clothing, psychological services, drug rehabilitation, *pro bono* legal aid, and free medical care through to the Ministry of Health. The government continued to provide shelter, counseling, medical aid, and financial assistance to repatriated Tunisians; however, it is unclear how many Tunisian victims benefited from these services in 2014.

The government did not fully implement its national victim referral mechanism, developed in 2013, to refer trafficking victims to social centers managed by the MSA or NGO-run shelters that focused on other vulnerable groups. While the mechanism was employed by officials in some instances, it was not utilized by all relevant ministries. Throughout the reporting period, the government provided training to law enforcement, immigration, and social services officials to identify trafficking victims among high-risk populations. Despite this training, the government did not implement systematic policies and procedures to protect unidentified victims from punishment as a direct result of being subjected to human trafficking, such as women or children in prostitution or illegal immigrants. The government reportedly offered temporary residency status and repatriation services—in coordination with international organizations—to foreign trafficking victims, although it was unclear how many victims were provided this service in 2014. The government did not have any policies in place to encourage victims to participate in the prosecution of their traffickers, nor did it offer foreign trafficking victims legal alternatives to their removal to countries where they might face hardship or retribution.

## PREVENTION

The government made some progress to prevent trafficking. The inter-ministerial anti-trafficking working group began meeting monthly in 2014 to coordinate anti-trafficking policy, with representation from civil society and international organizations. In early 2015, the working group drafted a national anti-trafficking action plan outlining proposed efforts to raise awareness, build institutional capacity and train officials, enact draft anti-trafficking legislation, and improve victim protection measures. To prevent fraudulent labor recruitment practices, the Ministry of Professional Training and Employment (MOPTE) ordered 24 unauthorized recruitment bureaus to formally register with the ministry. MOPTE officials also conducted a public awareness campaign during the reporting period to warn job seekers about the risks of dealing with unauthorized recruitment bureaus. In 2014, MOPTE formally requested the Ministry of Interior close and file lawsuits against 15 recruitment agencies for failing to comply with labor regulations and other infractions, such as providing misleading information to applicants, extortion, and fraud. The government did not report efforts to reduce the demand for commercial sex acts. The government provided anti-trafficking training for its diplomatic personnel.

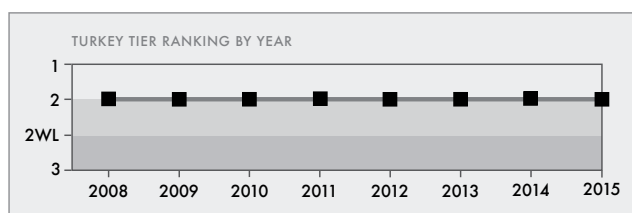
## TURKEY: Tier 2

Turkey is a destination and transit country, and to a lesser extent source country, for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Syria, and Morocco. In previous years, Georgian men and women have been subjected to forced labor. Foreign victims are offered cleaning and childcare jobs in Turkey and, upon arrival, traffickers force them into prostitution in hotels, discos, and homes. Turkish women may be subjected to sex trafficking within the country and have been reported as victims in Europe. The government and NGOs report traffickers increasingly use psychological coercion, threats, and debt bondage to compel victims into sex trafficking. Transgender persons are particularly vulnerable to trafficking, suffering from lack of protection by authorities and alleged police violence. Ethnic Roma and Syrian children are subjected to begging on the street; some of these children may be vulnerable to trafficking.

Displaced Syrian, Afghan, and Iraqi nationals are increasingly vulnerable to trafficking in Turkey, particularly as an estimated one million Syrians and 100,000 Iraqis arrived in Turkey during the reporting period and face high rents and little or no access to legal employment. An increasing number of Syrian refugee children engage in street begging, and also work in restaurants, textile factories, markets, mechanic or blacksmith shops, and agriculture, at times acting as the breadwinners for their families; they are highly vulnerable to forced labor. Syrian refugee women and girls are vulnerable to sex trafficking by prostitution rings—including those run by extremist groups. Syrian girls are reportedly sold into marriages with Turkish men, in which they are highly vulnerable to domestic servitude or sex trafficking. International organizations and the media indicate a potential growing trend involving foreign men, women, and children—particularly from Central Asia—fraudulently recruited or coerced to join extremist fighters in Syria, sometimes through false promises of employment in Turkey or threats of deportation from the country; some of these individuals may willingly join ISIL militants, including some girls allegedly offering

to marry fighters, but are subsequently forced to remain in Syria against their will. Reports indicate youth participate in Kurdistan Workers' Party (PKK) forces, a group designated as a terrorist organization by the U.S. and Turkish governments; uncorroborated reports suggest Kurdish children are sometimes kidnapped and forced to participate in PKK forces.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government increased law enforcement efforts against trafficking offenders, including complicit government officials, and it identified more victims in comparison to the previous year. Despite these efforts, the government ceased funding for three NGO-run trafficking shelters in mid-2014, which left the shelters nearly inoperable until they received funding from outside sources. The government's protocol to identify victims was not reliably applied, and NGOs alleged there were cases where sex trafficking victims were arrested, detained, and deported for crimes committed as a result of being subjected to trafficking. The government continued to deny children and Turkish nationals were among trafficking victims. Some officials, including police, downplayed the seriousness of the crime and failed to recognize the need for increased vigilance to combat trafficking among the refugee population.



## RECOMMENDATIONS FOR TURKEY:

Vigorously investigate and prosecute trafficking offenders, including complicit officials and forced labor offenders, and provide comprehensive law enforcement statistics to demonstrate such efforts against trafficking; utilize the referral mechanism to significantly increase victim identification efforts among vulnerable populations, such as refugees, women and girls in prostitution, and children begging in the streets, and provide specialized care for child, Turkish, and male victims; train law enforcement and other first-responders on victim identification, including recognizing the signs of non-physical methods of control used by traffickers; increase cooperation with NGOs and international organizations in victim identification and referral to assistance; establish a victim-centered framework for victim identification and assistance with stable funding and institutionalized partnerships with NGOs; provide victims unhindered access to protection services, including through the funding of NGO-led shelters; ensure the interagency anti-trafficking taskforce provides effective implementation of policy; and increase incentives for victims to voluntarily assist in the investigation and prosecution of traffickers, including the use of victim advocates.

## PROSECUTION

The government demonstrated increased anti-trafficking law enforcement efforts to combat sex trafficking, but it did not take direct action to address forced labor crimes. Article 80 of Turkey's penal code prohibits both sex and labor trafficking by use of force, threats, or abuse of power, and prescribes penalties

of eight to 12 years' imprisonment. Article 227(1) prohibits the facilitation of child prostitution and prescribes penalties of four to 10 years' imprisonment. Penalties under both articles are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The 2013 "Foreigners and International Protection Act" provides a legal definition of trafficking and establishes trafficking victims' eligibility for a special type of residence permit that can be renewed for up to three years.

The Ministry of Justice reported prosecuting 749 suspects in 71 sex trafficking cases under article 80 in the first three quarters of 2014. It did not provide the details of these cases. Separately, the Turkish National Police (TNP) reported conducting 30 operations resulting in the detention of dozens of suspected traffickers and the identification of 100 potential victims. In March 2015, the media reported a Turkish ISIL militant operating in Turkey was arrested and charged with forcing Syrian refugee girls into prostitution in the southern Turkish province of Hatay; the trial was ongoing at the end of the reporting period. During the first three quarters of 2014, of 62 cases completed involving 285 suspects, Turkish courts were without the jurisdiction to try 44 suspects and acquitted 216 defendants. Courts convicted 25 traffickers under article 80; however, only four received terms of imprisonment, with 21 receiving suspended sentences. The prosecutions and convictions reported in 2014 marked an increase from 2013, when the government prosecuted 196 defendants in 32 cases and convicted 17 traffickers. Nevertheless, the government again did not prosecute any forced labor crimes. In 2014, the government prosecuted three officials complicit in human trafficking under articles 227 and 80; though the details of these cases were unclear, two of the offenders were sentenced to terms of imprisonment and one was acquitted. While NGOs claimed some officials were complicit in the trafficking of Syrians, the government's investigation of such claims found no evidence of trafficking crimes. The government reported entering into anti-trafficking cooperation agreements with various countries in Central Asia and Eastern Europe, and it began criminal processes against 26 alleged traffickers in cooperation with Georgian authorities during the reporting period. The government trained 3,028 officials in 2014.

## PROTECTION

The government increased efforts to identify trafficking victims, but did less to provide protection services. The government identified 50 potential trafficking victims during the first three quarters of 2014, 43 of whom were victims of sexual exploitation and seven were victims of labor exploitation, which may include trafficking crimes; this represented a significant increase from the 15 adult female victims of sex trafficking identified in 2013. Two of the victims identified were children. The victims were predominantly from Central Asia, Eastern Europe, and Syria. Twenty-six victims accepted support services and 24 elected for immediate repatriation, which the government facilitated. Though the TNP reported 100 potential trafficking victims discovered through law enforcement operations, it did not report referring them to protection services. Additionally, because the government did not recognize children engaged in begging or Turkish nationals could be trafficking victims; these populations were not identified or referred to care. The government reported utilization of its national referral mechanism for victim identification and assistance, which included law enforcement, civil society groups, embassies, and international organizations. During the reporting period, the government issued two directives to officials with guidance on victim identification procedures. In September 2014, the



government began cooperation with the EU to improve victim identification measures, update the national referral mechanism, and broaden anti-trafficking trainings; however, the government did not provide funding for these efforts. The government did not ensure trafficking victims were not punished for unlawful acts committed as a direct result of being subjected to human trafficking. For example, front-line police officers often failed to identify sex trafficking victims, particularly among women in prostitution, and deported them without providing them access to victim assistance. NGOs continued to report some first-line responders and police officers were not trained in victim identification and assistance, and police and prosecutor re-assignments and firings made it difficult for NGOs to coordinate effectively with law enforcement officials.

In September 2014, the government ceased funding three NGO shelters offering assistance to victims, including psychological and medical care, legal counseling on humanitarian visa and residence permit issuance, and counseling on their rights to return home. These shelters were also closed during part of the reporting period while the NGOs waited for an international donor project to fund them. These shelters continued to be underutilized due to law enforcement's inability to proactively identify and refer victims to shelter services. The government did not offer specialized facilities for child trafficking victims, but reported the protection and rehabilitation services for child victims of domestic violence would be used for child trafficking victims; however, similar to the previous reporting period, no data was provided to specify if child trafficking victims accessed such services. The government reported domestic and foreign victims would be given the same assistance; however, the government did not identify Turkish victims. The government continued to allow automatic residency status for 30 days to any identified foreign trafficking victim, who had the option to apply for extensions of that status for up to three years; victims were not repatriated unless they requested it.

## PREVENTION

The government demonstrated improved prevention efforts. The government convened its interagency taskforce on combating human trafficking in December 2014 for the first time since 2012; however, the government did not update its 2009 national action plan. The government continued to fund an international organization-run hotline for trafficking victims and law enforcement tips, and it publicized the phone number on pamphlets and posters in airports and other ports of entry around the country. The government also conducted public outreach on human trafficking in mid-2014 and the TNP published monthly bulletins on anti-trafficking issues. In September 2014, the government conducted field research on the trafficking of Syrian refugees and officials allegedly involved in such crimes. Though the research revealed officials were not involved in these crimes, the government committed to prevent the trafficking of this vulnerable group. The government neither made efforts to reduce the demand for commercial sex acts or forced labor; nor demonstrated efforts to prevent child sex tourism by Turkish nationals traveling abroad; furthermore, it denied child sex tourism occurred within Turkey or involving its nationals abroad. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## TURKMENISTAN: Tier 2 Watch List

Turkmenistan is a source country for men, women, and children subjected to forced labor and sex trafficking. Men and women from Turkmenistan are subjected to forced labor after migrating abroad for employment in the textile, agricultural, construction, and domestic service sectors. Turkmen women and girls are also subjected to sex trafficking abroad. Residents of rural areas are most at risk of becoming trafficking victims. International organizations report that the proportion of male victims subjected to trafficking abroad increased to surpass female victims in 2014. Turkey and Russia are the destinations of most Turkmen victims, followed by other countries in the Middle East, South and Central Asia, and Europe. An international organization estimates between 10 and 15 trafficking victims return to Turkmenistan each month. Turkmen nationals are subjected to forced labor within the country in the informal construction industry. Participation in the cotton harvest is compulsory for some public sector employees, who face termination if they refuse to work or are unable to pay for a surrogate worker. State officials in the Lebap and Dashoguz regions reportedly required some business owners to send staff to pick cotton.

The Government of Turkmenistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Turkmenistan is placed on Tier 2 Watch List for a fourth consecutive year. Turkmenistan was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking, and it has committed to devoting sufficient resources to implement that plan. The government continued to convict trafficking offenders under its anti-trafficking statute and actively partnered with an international organization to organize official trainings and draft a 2016-2018 national action plan to combat trafficking. The government, however, did not demonstrate adequate efforts to identify and protect victims; rather, officials penalized some trafficking victims for acts committed as a result of being subjected to trafficking.



## RECOMMENDATIONS FOR TURKMENISTAN:

Finalize and adopt the 2016-2018 national action plan; develop systematic procedures to identify and refer potential victims to protection services; train border guards, police, and other relevant officials on such procedures; establish safeguards and train officials to ensure victims are not punished for unlawful acts, such as migration violations and prostitution, committed as a direct result of being subjected to trafficking; continue to use Article 129 to investigate and prosecute suspected trafficking offenses, respecting

due process, and convict and punish trafficking offenders; continue to provide training for relevant government authorities on the proper application of Article 129; improve implementation of the protection provisions in the 2007 anti-trafficking law; provide financial or in-kind assistance to anti-trafficking organizations providing assistance to victims; develop a formal process for encouraging victims to assist in investigating and prosecuting suspected traffickers; increase awareness efforts among the general public; and continue to develop formal relationships with civil society groups to coordinate national anti-trafficking efforts.

## PROSECUTION

The government demonstrated some progress in anti-trafficking law enforcement efforts. The government prohibits all forms of trafficking in persons through Article 129 of its criminal code. Prescribed penalties under this statute range from four to 25 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. However, Article 129 provides that, unless certain aggravating circumstances are present, a convicted trafficking offender would not be sentenced if he or she voluntarily freed the victim. Turkmenistan's 2007 anti-trafficking law sets forth the anti-trafficking responsibilities of government agencies and includes measures to protect trafficking victims as well as prevention strategies. In 2014, the government reported it initiated prosecution of six cases against an unknown number of defendants and convicted nine offenders under Article 129, compared with three convictions in 2013. All of these cases involved Turkmen citizens recruited by other Turkmen citizens and exploited in foreign countries. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking. In April 2014, 20 law enforcement officials, judges, and prosecutors attended training conducted by OSCE on trafficking prevention mechanisms, the role of law enforcement in prosecutions, and coordination with other countries. The prosecutor general's office and the State Migration Service (SMS) reported they independently trained their officials on trafficking-related issues.

## PROTECTION

The government made limited efforts to protect and assist victims. The government did not provide services to victims of trafficking, nor did it fund international organizations or NGOs to provide such services. The government identified 19 victims of trafficking in 2014, a decrease from 33 victims identified in 2013. An international organization reported assisting 62 victims; however, the government did not provide funding in support of this provision of care. An NGO operated one shelter for female trafficking victims in Turkmenistan with foreign donor funding. The shelter provided services to eight female victims in 2014. Local NGOs assisted all 62 victims with medical counseling services, vocational training, and transportation. Government officials informally referred suspected trafficking victims to an international organization, which screened and later referred victims to the shelter. The prosecutor general's office reported repatriated victims of trafficking could apply for free medical care; however, NGOs indicated victims were occasionally required to pay for their own treatment. The government had no formal process for encouraging victims to assist in investigating and prosecuting traffickers. Prosecutors recognized the right of victims to come forth voluntarily and reported they would not pressure victims into giving information. At times, authorities punished trafficking

victims for crimes committed as a result of being subjected to trafficking. After Turkmen victims returned home following their deportation from other countries, the SMS reportedly blocked them from exiting Turkmenistan for a period of up to five years and fined them for overstaying their visas while abroad. The government made no attempts to identify sex trafficking victims among women arrested for engaging in prostitution and, consequently, officials may have penalized sex trafficking victims for prostitution offenses.

## PREVENTION

The government made some efforts to prevent human trafficking. In partnership with an international organization, the government established a working group and held three meetings to draft a 2016-2018 national action plan to combat trafficking; however, at the end of the reporting period, the government had not yet finalized and adopted this plan. However, the government adopted an interim written plan. In 2014, the government remained without an anti-trafficking coordinating body. The government approved the requests of an international organization and NGOs to conduct public information events and campaigns, including through radio, newspaper, and other media outlets. The government provided in-kind contributions for training provided by international organizations. The government provided anti-trafficking training or guidance for its diplomatic personnel. The stateless population in Turkmenistan, mostly consisting of former Soviet citizens, was vulnerable to trafficking. In 2014, the SMS worked with UNHCR to grant Turkmen citizenship to 786 formerly stateless persons. While the government made efforts to reduce the demand for commercial sex acts by prosecuting clients of those in prostitution, its failure to screen women in prostitution for trafficking victimization raised concerns about overall law enforcement efforts targeting the sex trade.

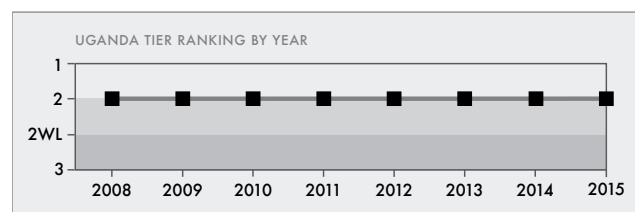
## UGANDA: Tier 2

Uganda is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ugandan children as young as seven are exploited in forced labor within the country in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, street vending, bars, restaurants, and the domestic service sector. Prisoners in pre-trial detention engage in forced labor alongside convicts. Girls and boys are exploited in prostitution. Women and children from Uganda's remote and underdeveloped Karamoja region are particularly vulnerable to domestic servitude, commercial sexual exploitation, and forced begging. Children from the Democratic Republic of the Congo (DRC), Rwanda, Burundi, Kenya, Tanzania, and South Sudan are subjected to forced agricultural labor and prostitution in Uganda. Ugandan children are taken to other East African countries for similar purposes and forced to engage in criminal activities. Additionally, many Karamojong children are brought to towns in Eastern Uganda where they endure forced labor in grazing and domestic servitude or to Kampala where they are exploited. South Sudanese children in refugee settlements in northern Uganda are vulnerable to trafficking, and UNHCR suspects instances of trafficking involving this population. Until August 2006, the Lord's Resistance Army (LRA) abducted children and adults in northern Uganda to serve as soldiers, sex slaves, and porters; Ugandan children and adults previously abducted remain unaccounted for, and some remain captive with LRA elements in the DRC, Central African Republic, and South Sudan.

Licensed and unlicensed Kampala-based security companies and employment agencies continued to recruit Ugandans to work as security guards, laborers, and drivers in the Middle East. Some Ugandan migrant workers endured forced labor in Saudi Arabia, Qatar, and Kuwait, even when recruited by licensed agencies. Official complicity hindered government oversight of labor recruitment agencies. Despite a continued ban on recruiting domestic workers for employment overseas, licensed and unlicensed agencies circumvented this ban, recruiting for “cleaners” or other trades with the intent of employing women in domestic work. Some Ugandan women fraudulently recruited for employment in the Middle East were exploited in forced prostitution in the United Arab Emirates (UAE), Oman, Saudi Arabia, and Qatar. Kampala-based labor recruiters and brokers also operated in Rwanda, and Nairobi-based recruiters were active in Uganda, recruiting Ugandans and resident Rwandans and Kenyans through fraudulent offers of employment in the Middle East and Asia.

A network of Ugandan women reportedly coordinated sending Ugandan women for exploitation in forced prostitution across East Asia. Some of these women transit through the UAE, India, and China—where they may also be subjected to forced prostitution—*en route* to destinations in East Asia. During the reporting period, the government reported the top destination countries for Ugandan trafficking victims remained Kuwait, the UAE, and Kenya, with the largest number of Ugandan victims identified in Kuwait.

The Government of Uganda does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government investigated 293 trafficking cases in 2014, an increase from 159 cases reported the previous reporting period. It reported 23 prosecutions and four convictions in 2014, in comparison with two convictions the previous reporting period. It maintained strong efforts to identify trafficking victims, but failed to provide them with adequate services, relying on international organizations and NGOs to provide necessary care. During the year, the Counter-Trafficking in Persons (CTIP) office—under the strong leadership of its national coordinator—made efforts to raise public awareness. Nonetheless, the government’s limited allocation of resources to the CTIP office, the Ministry of Gender, Labor, and Social Development (MGLSD), and its External Employment Unit (EEU) substantially endangered the welfare of victims and inhibited progress overall.



## RECOMMENDATIONS FOR UGANDA:

Significantly increase the availability of victim services by allocating resources to the MGLSD for direct care provision or provide support to NGOs that do so; designate an official focal point to oversee provision of trafficking victim protection services; increase the number of staff and funding dedicated to the CTIP office and for anti-trafficking efforts within the EEU and the Ministry of Internal Affairs (MIA); allocate increased funding to Ugandan embassies to better assist trafficking victims abroad and consider establishment of a mission in Kuwait; establish policies

and procedures for all front-line officials to identify and interview potential trafficking victims and transfer them to entities providing formal victim assistance; finalize regulations to fully implement the protection and prevention provisions of the 2009 Prevention of Trafficking in Persons (PTIP) Act; increase efforts to prosecute, convict, and punish trafficking offenders; complete amendments to labor export regulations and use existing laws to investigate and punish licensed and unlicensed labor recruiters and criminal entities responsible for knowingly sending Ugandans into forced labor or prostitution abroad; institutionalize anti-trafficking training, including victim identification techniques, for all front-line officials, including diplomatic personnel; establish a unified system of documenting and collecting data on human trafficking cases for use by law enforcement, labor, and social welfare officials; expand the anti-trafficking public awareness campaign with a particular focus on forced labor; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government maintained strong anti-trafficking law enforcement efforts. The 2009 PTIP Act prohibits all forms of trafficking, prescribing punishments of 15 years’ to life imprisonment, which are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Amendments proposed by the EEU to the existing regulations governing the recruitment of Ugandan workers for overseas employment, intended to increase oversight of employment contracts and extend criminal liability for trafficking offenses to labor recruiters, remained pending for the third consecutive year.

The government reported 293 investigations, 23 prosecutions, and four people convicted in 2014. As the anti-trafficking act prohibits illegal adoption and child selling, these government-reported statistics may include such cases, which are not considered trafficking in persons under the UNTIP Protocol definition unless the adoption and child selling is for the purpose of forced labor or sex trafficking. In one case, the government sentenced two convicted offenders to 27 and 25 years for aggravated trafficking for selling two children into labor exploitation. The government charged a senior manager with the Ministry of Finance with aggravated trafficking for allegedly luring five girls and women to Kampala under false pretenses, with intentions of trafficking them; this case remained pending at the end of the reporting period. The government did not report any additional investigations, prosecutions, or convictions of government employees complicit in human trafficking or trafficking-related offenses, including civil service officials and members of Parliament who own labor recruitment firms and interfere in the certification of some firms, and, at times, use promises of good jobs abroad as a means to seek votes. During the reporting period, an international NGO released a report documenting cases of sexual abuse and exploitation of Somali women and girls, including trafficking victims, by Ugandan personnel in the African Union Mission in Somalia (AMISOM). An African Union investigation into the allegations concluded there was evidence of the existence of such sexual exploitation and abuse by AMISOM personnel. The Uganda People’s Defense Force (UPDF) sent an investigation team to Somalia, which identified up to five suspects for prosecution. A foreign donor, in coordination with the UPDF, trained troops on human rights, trafficking in persons, and sexual abuse issues prior to their deployment for the stabilization mission in Somalia or international peacekeeping missions elsewhere. The government’s ability to cooperate internationally on trafficking investigations—specifically

those involving the trafficking of Ugandan women to the Middle East and Asia—was hampered due to lack of funding. However, the government maintained its cooperative efforts with Rwanda, Kenya and South Sudan. In May 2014, officials from the Ugandan police and INTERPOL participated in a regional operation against cross-border crime, covering Eastern and Southern Africa, during which 13 trafficking victims were rescued, including 10 men from Ghana rescued from forced labor in Uganda and three Ugandan women removed from forced labor and sexual exploitation in the UAE.

In January 2015, the National Taskforce trained 50 police officers on anti-trafficking measures and an additional 392 officials, including police officers, magistrates, civil aviation officers, and licensed labor recruitment companies on identification and management of trafficking victims, investigation procedures of trafficking cases, and implementation of the PTIP Act. Nonetheless, some judicial officers were not aware of the PTIP Act. NGOs reported trafficking victims are often paid monetary settlements by suspects to withdraw their requests and support for trafficking prosecutions.

## PROTECTION

The government did not demonstrate improved protection efforts, as it failed to provide victims with care or to support organizations that did so. It did not complete implementing regulations for the 2009 PTIP Act or allocate funding for the implementation of its victim protection provisions. The government reported providing medical treatment to victims through the National Taskforce; however, it continued to rely on NGOs and international organizations to provide the majority of victim services. The government reported its identification of at least 293 victims; however, it remained without procedures for use by all front-line officials in the systematic identification of victims among high-risk groups. Likewise, Uganda remained without a formal process to refer victims to protective services, but the National Taskforce consulted with international organizations and NGOs to coordinate victim support on an *ad hoc* basis. Victim care remained inadequate and services available were primarily for women.

Although the government provided travel documents to victims stranded overseas, it did not fund return travel or provide medical care or shelter to these or other repatriated trafficking victims upon their return to Uganda. During the reporting period, the CTIP office assisted 76 young Ugandan women by providing services including consular support, travel documents, and liaising with families of victims; the Ministry of Foreign Affairs collaborated with NGOs to provide counseling and temporary shelter to these women. The government did not provide any repatriation assistance to trafficking victims in 2014, although an international organization did. The government did not provide adequate shelter for many transnational victims identified outside of Uganda; it lacked safe housing to temporarily house victims. Street children, including potential trafficking victims, are often temporarily held for up to three months at an under-resourced MGLSD juvenile detention center that provided food, medical treatment, counseling, basic education, and family-tracing services. Reports indicate police and communities treat street children as criminals, arbitrarily arresting, detaining, and beating them, and forcing them to clean detention facilities. The government has not established appropriate systems to ensure such children do not reappear on the streets. While Ugandan law permits foreign trafficking victims to remain in Uganda during the investigation of their cases and to apply

for residence and work permits, the government reported that no permits were requested because all foreign victims chose to return home during the reporting period.

## PREVENTION

The government increased its efforts to prevent human trafficking through engagement with the media, but oversight of labor recruitment agencies remained inadequate. The MIA continued to oversee the government's CTIP office, led by the national coordinator, an assistant police commissioner, to coordinate government anti-trafficking efforts. The staffing and budget of the CTIP office remained inadequate. The National Taskforce—coordinated by the CTIP office—conducted regular meetings and continued publishing quarterly reports used to monitor the government's anti-trafficking efforts. In consultation with NGOs, CTIP completed its draft of a national action plan; however, it awaited cabinet approval at the end of the reporting period.

In 2014, the government continued its robust national awareness campaigns—composed of talks, media outreach, and distribution of written materials. CTIP, with support from a foreign donor, produced 60,000 brochures for anti-trafficking purposes, to be placed in Ugandan passports. Additionally, the National Taskforce placed banners at MIA Offices of Police Special Investigation Division, and INTERPOL with information on identifying traffickers and getting help.

INTERPOL continued additional screening for trafficking indicators for those attempting to emigrate for work. In April 2014, MIA, through the National Security Information System project, initiated a biometric national identification register. The project aimed to register 18 million people in which 16 million people had been registered by the end of the reporting period. Immigration officials scrutinized travel documents, passports, and reasons for travel before clearing travelers to depart Uganda for work in foreign countries; this involved passport confiscation and denying Ugandan citizens their freedom of movement, which reportedly led migrants to take more precarious routes through neighboring countries, such as Kenya.

In 2014, the MGLSD initiated its review of the regulations on the export of labor for the purpose of addressing trafficking loopholes used by recruitment agencies. Nonetheless, it did not report progress in the implementation of the Foreign Labor Recruitment Guidelines and Regulations, developed in the previous reporting period. Beyond corruption interfering in the oversight of labor recruitment firms, the EEU remained understaffed, preventing adequate implementation of its mandate; it failed to conduct monitoring visits of employment agencies, as done in the previous reporting period. The government did not report on its efforts to close down unlicensed recruitment agencies or suspend the licenses of those suspected of facilitating human trafficking; it merely recommended recruitment agencies bear the responsibility for repatriation of victims or face deregistration. The government did not pursue criminal prosecution—under the 2009 anti-trafficking act—of these or other agencies for their role in fraudulent recruitment of Ugandans for overseas employment. MGLSD led the National Taskforce efforts in negotiating bilateral agreements with Kuwait, Saudi Arabia, and Qatar; however, it did not finalize such formal agreements with destination countries—limiting the government's ability to facilitate investigations and victim rescues abroad. The government continued to hold orientation sessions for Ugandans departing for work abroad, including how to seek



assistance if abuse occurs. Although initially dismissed on procedural grounds, the March 2011 civil case against the attorney general, the inspector general of police (IGP), the director of public prosecution (DPP), and a labor recruitment agency for allegedly trafficking 155 Ugandan women to Iraq was refiled, with a hearing expected in late May 2014. The complaint alleges the IGP knew the women would be exploited and failed to carry out his constitutional duty to protect them, and that the DPP subsequently failed to prosecute the recruitment agency. Labor officers and community development officers urged employers to stop using child labor and sometimes referred child labor cases to the police. The Industrial Court, established to hear child labor cases, became operational in April 2014; however, no child labor cases were brought to the court during the reporting period. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government failed to make efforts to reduce the demand for commercial sex acts or forced labor in 2014. Uganda is not a party to the 2000 UN TIP Protocol.

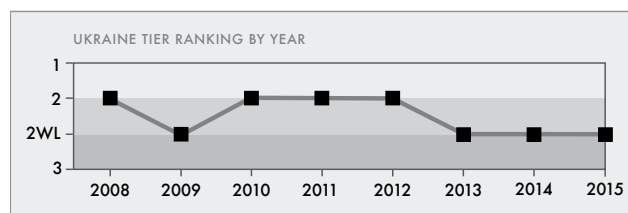
## UKRAINE: Tier 2 Watch List

Ukraine is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Ukrainian victims are subjected to sex trafficking and forced labor in Ukraine as well as in Russia, Poland, Turkey, the United States, and other parts of Europe, Central Asia, and the Middle East. Ukrainian women and children are subjected to sex trafficking within the country. Some Ukrainian children and vulnerable adults are subjected to forced begging. A small number of foreign nationals, including those from Moldova, Russia, Vietnam, Uzbekistan, Pakistan, Cameroon, and Azerbaijan, are subjected to forced labor in Ukraine in a variety of sectors including construction, agriculture, manufacturing, domestic work, the lumber industry, nursing, and street begging. The approximately 82,000-200,000 children institutionalized in state-run orphanages are especially vulnerable to being subjected to trafficking. Officials of several state-run institutions and orphanages are allegedly complicit or willfully negligent to the sex and labor trafficking of girls and boys under their care.

Russia's aggression that has fueled the conflict in eastern Ukraine has displaced over 1.3 million people, and this population is especially vulnerable to exploitation. There have been reports of kidnapping of women and girls from conflict-affected areas for the purposes of sex and labor trafficking. Russian-separatist forces fighting in Ukraine's eastern oblasts of Luhansk and Donetsk have reportedly employed minors as soldiers, informants, and used them as human shields. This reported recruitment and usage of minors as combatants took place on territory not under control of the central government, or in areas where the central government is unable to enforce national labor law due to the military conflict. In addition, self-proclaimed separatist leader Aleksandr Zakharchenko has allegedly stated that children as young as 14 are fighting in his rebel unit. Media sources have reported over a dozen cases of the use of children in the conflict by combined Russian-separatist forces. In addition, although the Government of Ukraine has proactively enforced prohibitions against the use of children under 18 in the conflict, credible media sources have reported one to two incidents of children as young as 16 fighting with Ukrainian forces not under direct control of the government.

The Government of Ukraine does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these measures, the government did not demonstrate overall increasing anti-trafficking efforts compared to the previous reporting period; therefore, Ukraine is placed on Tier 2 Watch List for a third consecutive year. Ukraine was granted a waiver from an otherwise required downgrade to Tier 3 because its government has a written plan that, if implemented, would constitute making significant efforts to bring itself into compliance with the minimum standards for the elimination of trafficking and it has committed to devoting sufficient resources to implement that plan.

During the reporting period, the government assisted foreign counterparts on transnational trafficking investigations and partnered with international experts to provide specialized training to over 750 public officials on victim identification and assistance. However, the government's anti-trafficking capacity was constrained by the need to dedicate resources to improving the security situation caused by Russian aggression. Government efforts were also constrained by poor coordination at the national level, a lack of understanding in government agencies about the issue, and corruption, which undermined governance and the rule of law. The government relied on foreign donors and NGOs to fund and provide the majority of victim services. Victim identification remained inadequate, and only a small portion of victims assisted by NGOs were referred to care or certified by the government. The number of trafficking prosecutions and convictions declined sharply, continuing a multi-year decline, and the majority of convicted traffickers were not sentenced to prison.



## RECOMMENDATIONS FOR UKRAINE:

Vigorously investigate trafficking offenses and prosecute and convict traffickers and officials complicit in trafficking; provide victims with assistance under the trafficking law or fund NGOs providing services and shelter; provide funding adequate to fully implement the national action plan; increase training for officials on victim identification, particularly in the proactive screening of vulnerable populations, such as individuals in prostitution and internally displaced persons (IDPs); sensitize judges to the severity of this crime to ensure convictions result in proportionate and dissuasive sentences; increase training for law enforcement, prosecutors, and judges in the investigation and prosecution of trafficking cases; certify more victims to ensure they are afforded their rights under the trafficking law; harmonize migration employment and trafficking laws to clarify foreign trafficking victims are eligible for temporary residency and for employment authorization; and provide victims with protective measures allowed under the witness protection law.

## PROSECUTION

The government demonstrated weakened law enforcement efforts in pursuing trafficking cases, given its focus of resources on fighting

Russian aggression. Article 149 of the criminal code prohibits all forms of trafficking and prescribes penalties from three to 15 years' imprisonment. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. Law enforcement investigated 109 trafficking offenses in 2014, compared with 130 in 2013. Authorities initiated prosecutions of 42 defendants under Article 149, compared with 91 cases in 2013. The government convicted 57 traffickers in 2014 under Article 149, a decline from 109 in 2013. Of the 36 convicted traffickers who had been sentenced at the close of 2014, 15 were sentenced to prison terms ranging from one to 10 years, and the government confiscated the assets of seven defendants. Authorities collaborated with foreign governments on transnational investigations. The government, in conjunction with international funding and partners, provided training to 277 judges, prosecutors, and law enforcement officers. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses, despite reports of government corruption and official complicity in the sex and labor trafficking of children housed in state-run institutions and orphanages.

## PROTECTION

The government did not demonstrate progress in protection efforts. In 2014, IOM assisted 903 victims, compared with 929 in 2013. The government identified 91 victims in 2014, the third consecutive year in which authorities identified fewer victims. The percentage of victims referred to NGOs by law enforcement and other authorities continued to decrease. Observers reported police did know how to screen individuals in prostitution for signs of trafficking. The government approved 27 out of 48 applications for official victim status under the 2011 trafficking law; GRETA reported victim status was sometimes denied due to applications lacking particular documents, such as police reports, though this was not a requirement under the law. GRETA emphasized the contrast in the number of victims assisted by IOM versus the number certified by the government and observed the government's current procedure to identify victims relies on the victims—who are often exiting traumatic situations—to self-report and provide evidence of their victimization.

International donors continued to provide the majority of funding for anti-trafficking activities and assistance to victims. The government disbursed 80,000 hryvnia (\$3,700) from the central budget for anti-trafficking measures in 2014; the budget, formulated in 2012, had planned for 845,427 hryvnia (\$39,100). In April 2013, the government adopted procedures allowing NGOs to request financial support, although it had not announced a competition for funds by the end of the reporting period. The government provided each of the 27 officially recognized victims with financial assistance in the amount of 1,176 hryvnia (\$54). The trafficking law entitles victims to receive free temporary housing at a government shelter; psychological assistance, medical services, employment counseling, and vocational training. The government operated social service centers responsible for assessing victims' needs and drafting rehabilitation plans. Victims who required shelter could stay at government-run centers for socio-psychological assistance for up to 90 days and receive psychological and medical support, lodging, food, and legal assistance. Women and men were accommodated in separate rooms. GRETA reported the provision of assistance was problematic due to funding shortfalls and shortage of trained staff. Non-governmental partners delivered assistance not provided by public social services. The majority of

victims requiring shelter were housed at a rehabilitation center run by IOM. Child victims could be accommodated in centers for socio-psychological rehabilitation of children for up to 12 months and receive social, medical, psychological, education, legal, and other types of assistance; four child victims of forced begging stayed at these centers before being transferred to foster care. The government, in coordination with IOM, trained over 2,500 officials on victim identification and assistance in 2014, compared with 750 officials in 2013.

The trafficking law affords foreign victims the right to remain in the country, but that right is not explicitly incorporated into the Law on the Legal Status of Foreigners; as a result, foreign victims have had difficulties obtaining legal status to stay in Ukraine and be eligible to receive ongoing access to victim services. In 2014, the migration authorities registered two foreign victims who received official victim status in 2012, enabling their legal stay. Employment laws had not been amended to allow certified foreign victims to work legally, as provided in the trafficking law. In 2014, 121 victims participated in the prosecution of alleged traffickers. Courts have the authority to order compensation for victims that sought restitution, but the administration of these decisions was hampered by unavailability of assets, corruption, and low effectiveness of the enforcement process. Various protective measures were available for victims who testified at trial, but in practice these measures were rarely applied, and trafficking victims serving as witnesses were often not treated in a victim-sensitive manner.

## PREVENTION

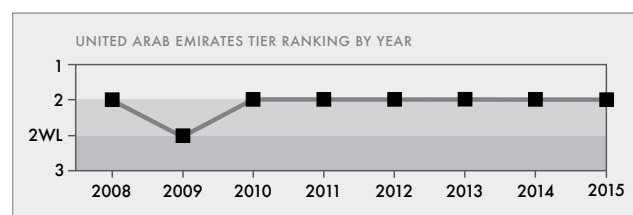
The government continued some prevention activities. The government had a national action plan for 2012-2015 and spent 250,100 hryvnia (\$11,600) from state and local budgets for awareness campaigns, which particularly targeted young individuals seeking employment abroad. The Ministry of Social Policy continued in its role as national anti-trafficking coordinator and published a report on its activities in 2014. The government did not incorporate the labor inspectorate into its anti-trafficking measures, though worksite inspections could reveal situations of trafficking. The government, in continued cooperation with IOM, conducted counter-trafficking pre-deployment trainings for Ukrainian troops assigned to multinational missions. The government provided anti-trafficking training for its diplomatic personnel. The government did not demonstrate specific efforts to reduce the demand for commercial sex acts and forced labor.

## UNITED ARAB EMIRATES: Tier 2

The United Arab Emirates (UAE) is a destination and transit country for men and women predominantly from South, Southeast, and Central Asia and Eastern Europe who are subjected to labor and sex trafficking. Migrant workers, who comprise over 95 percent of the UAE's private sector workforce, are recruited primarily from Ethiopia, Eritrea, Iran, and East, South, and Southeast Asia; some of these workers face forced labor in the UAE. Women from some of these countries travel willingly to the UAE to work as domestic workers, secretaries, beauticians, and hotel cleaners, but some are subjected to forced labor through unlawful passport withholding, restrictions on movement, nonpayment of wages, threats, and physical or sexual abuse. Restrictive sponsorship laws

for foreign domestic workers give employers power to control domestic workers' movements, threaten them with abuse of legal processes, and make them vulnerable to exploitation. Men from South Asia are recruited to work in the UAE in the construction sector; some are subjected to forced labor through debt bondage to repay recruitment fees. In some cases, employers declare bankruptcy and flee the country, abandoning their employees in conditions that leave them vulnerable to further exploitation. Some source-country labor recruitment companies hire workers with false employment contracts, where the terms and conditions are never honored or are changed, such that workers are forced into involuntary servitude and debt bondage once in the UAE. Some women from Eastern Europe, Central Asia, East and Southeast Asia, East Africa, Iraq, Iran, and Morocco are subjected to forced prostitution in the UAE. In 2014, media attention focused on reports alleging official complicity with the exploitation of workers on Saadiyat Island in Abu Dhabi, including passport withholding, abuse, detention, and deportation of about 500 workers after their attempt to strike.

The Government of the United Arab Emirates does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government prosecuted 15 sex trafficking cases in 2014. It continued to implement victim identification procedures, refer sex trafficking victims to protection services, and fund shelters assisting such victims. The government's anti-trafficking efforts continued to largely focus on sex trafficking. It did not make extensive efforts to criminally investigate and prosecute forced labor offenses or identify and protect forced labor victims—especially male forced labor victims. The government provided avenues to settle migrant workers' complaints of abuse through hotlines and a formal process for disputes of unpaid wages. Outside of these mechanisms, however, some forced labor victims remained unidentified, unprotected, or unwilling to come forward. In January 2015, the government promulgated amendments to victim protection clauses of Federal Law 51, including non-penalization of victims for crimes committed as a direct result of being subjected to trafficking. The government continued to implement numerous awareness campaigns, and held trainings, workshops, and conferences for labor recruitment agencies and police.



## RECOMMENDATIONS FOR THE UNITED ARAB EMIRATES:

Significantly increase efforts to investigate, prosecute, and punish labor trafficking offenses, and convict and punish trafficking offenders, including recruitment agents and employers; implement the draft law addressing the protection of domestic workers' rights; increase use of standard procedures for the identification of trafficking victims among foreign workers subjected to forced labor, including those apprehended for violations of immigration laws and domestic workers who have fled their employers; provide protection services to all victims of trafficking, including by

extending protection to victims of forced labor on par with those available for victims of forced prostitution; ensure all trafficking victims, especially those who experience forced labor, are not incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to trafficking, and treat male and female victims equally; allow all male victims of trafficking, including both sex trafficking and forced labor, access to services at the new shelter for male victims; enforce prohibitions on withholding workers' passports; and reform the sponsorship system so it does not provide excessive power to sponsors or employers in granting and sustaining the legal status of workers.

## PROSECUTION

The government sustained its anti-trafficking law enforcement efforts. Federal Law 51 of 2006 prohibits all forms of trafficking and prescribes penalties ranging from one year to life in prison as well as fines and deportation. These penalties are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. In 2014, the government prosecuted 15 sex trafficking cases involving 46 defendants; six cases resulted in the conviction of 11 traffickers while the remaining nine cases continued pending prosecution at the end of 2014. The government reported trafficking convictions involved stiff penalties up to life imprisonment. In May 2014, the Abu Dhabi Criminal Court convicted three police officers for their involvement in sex trafficking; one received a sentence of eight years' imprisonment, while two received sentences of three years' imprisonment. In two separate cases, three additional individuals convicted of trafficking received terms of imprisonment of two to three years. The number of prosecutions decreased for the second consecutive year, from 19 sex trafficking prosecutions in 2013 and 47 in 2012. The government attributes the lower number to a decline in the prevalence of sex trafficking, partially as a result of its prosecution of these cases, and its prevention and awareness efforts. The government did not report referring any labor trafficking offenders for prosecution, compared with one labor trafficking offender referred the previous reporting period.

While authorities penalized labor violators, the government rarely prosecuted potential forced labor cases under the country's anti-trafficking law. Workers filed labor complaints through hotlines, in person, or through the Ministry of Labor (MOL). In 2014, the MOL labor relations office settled 6,798 wage-related complaints and referred 479 wage disputes for prosecution. The government did not report its investigation of any of these complaints or labor violations for potential forced labor crimes. The government continued to respond to and investigate workers' complaints of unpaid wages through a dispute resolution process and the Wages Protection System (WPS), which is intended to ensure the payment of wages to workers and punish employers with administrative and financial penalties for failing to comply; MOL's referral of 479 wage disputes for resolution in 2014 was a significant increase from the 188 referred the previous reporting period. The government did not proactively enforce a prohibition on the withholding of workers' passports by employers, which remained a widespread problem. In 2014, it investigated the UAE Ambassador to Ireland for his alleged exploitation of three Filipino women in domestic service. The Irish Employment Appeals Tribunal awarded each of the three victims 80,000 euros (\$97,300); however, it remained unclear whether the UAE government would attempt to prosecute or otherwise take action against or penalize this official.

The government continued to train judicial, law enforcement, and

labor officials on human trafficking in 2014. In addition, the Ministry of Interior (MOI) and MOL conducted several specialized training sessions on anti-trafficking for their staff during the reporting period.

## PROTECTION

The government sustained uneven progress in identifying and providing protective services to trafficking victims. Though the government continued to proactively identify and protect trafficking victims, the government limited its protection services—including its shelters—solely to sex trafficking victims and failed to sufficiently address the needs of forced labor victims. During the reporting period, the government identified and referred to protective services 20 sex trafficking victims. This is a continued decrease from the 40 sex trafficking victims identified in 2013 and 57 in 2012. The government continued to fund shelters for female and child victims of sex trafficking and abuse in Abu Dhabi, Dubai, Ras al Khaimah, and Sharjah; these shelters provided medical, psychological, legal, educational, and vocational assistance. A government-supported NGO operated a shelter for male sex trafficking victims; however, it was unclear whether any victims benefited from its services during the reporting period. The country remained without a shelter for male forced labor victims. A government-supported NGO provided assistance to 17 trafficking victims in its three shelters for women, and another organization sheltered three victims during the reporting period. Government officials reportedly continued to improve their efforts to identify and refer sex trafficking victims for care during the reporting period. Furthermore, the MOI and the government-funded shelters continued to implement their memorandum of understanding, which ensured police were responsible for referring and escorting victims safely to shelters.

In January 2015, the government promulgated an amendment to Federal Law 51 of 2006 on the protection of trafficking victims, including provisions to ensure victims are not penalized for crimes committed as a direct result of being subjected to trafficking, depending on the nature of the case. Prior to the amendment's passage, unidentified victims of sex trafficking and forced labor may have been penalized through incarceration, fines, or deportation for unlawful acts committed as a direct result of being subjected to trafficking, such as prostitution or immigration violations. For example, in some cases UAE authorities deemed female domestic workers who fled their employers as criminals, raising concerns victim identification procedures were not utilized in these cases. Additionally, forced labor victims who escaped debt bondage or exploitative labor situations faced the risk of being charged with absconding or immigration violation charges. The amendment prevents such occurrences and government officials reported charges for immigration violation, for example, were waived in certain circumstances. Although the MOI continued to distribute a guidebook outlining standard operating procedures for law enforcement officials to identify victims of both sex and labor trafficking, authorities failed to identify potential cases of forced labor; and instead classified them as labor violations. Some domestic workers, including victims of abuse by their employers, continued to seek shelter assistance at their embassies and consulates, in part due to a lack of government shelters for forced labor victims. The MOI continued to implement a system to place suspected trafficking victims in a transitional social support center, instead of a detention center, until victim identification was completed. A draft law protecting the rights of domestic workers, which the cabinet approved in January 2012, remained awaiting presidential approval.

In 2014, the trafficking victims' fund established in the previous year became operational, as victims started receiving monetary assistance, particularly for housing, children's education, and medical expenses in their home countries. The number of victims who benefited from this fund in 2014 was unreported. While the government exempted trafficking victims who had an ongoing court case against an employer for labor abuses from paying fines accrued for overstaying their visas, the government did not offer trafficking victims shelter, counseling, or immigration relief. The government did not provide permanent residency status to victims; however, the government worked with international organizations to resettle victims, at least two of whom were sex trafficking victims, who could not return to their home countries. It did not report repatriation assistance provided to victims during the reporting period. Workers whose employer did not pay them for 60 days—some of whom may be forced labor victims—were entitled to stay in the country and search for a new employer. The government continued to assist foreign workers who faced abuse and exploitation through its Human Rights Office in Dubai International Airport.

## PREVENTION

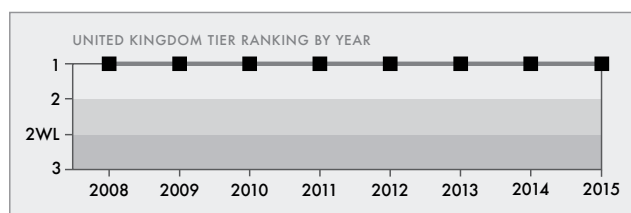
The government maintained trafficking prevention efforts, including efforts to involve the private sector in combating trafficking. It continued to carry out its 2012 national action plan to address human trafficking. The government implemented awareness campaigns and publicized the government's anti-trafficking hotline—operated by the inter-ministerial National Committee to Combat Human Trafficking (NCCHT). In September 2014, a government-supported NGO held a charity event in Abu Dhabi for the purpose of raising awareness on trafficking, raising the equivalent of \$36,000. In December 2014, the Dubai police, the NCCHT, and MOL held an anti-trafficking conference focused on exploitative labor practices, including recruitment fees and subsequent debt bondage; most conference participants were heads of labor recruitment agencies and Dubai police. In 2014, Dubai police distributed 11,000 pamphlets in the predominant languages spoken by migrant laborers to all labor accommodation camps in Dubai. The MOL participated in the Abu Dhabi Dialogue, an inter-regional forum on labor migration involving Asian and Gulf countries. In June 2014, the government instituted a new standard contract required for all domestic employees and employers, to ensure transparency and provide legal protections to domestic workers who remained uncovered by the labor law; the contract specified worker and employer rights and responsibilities. In 2014, the government reported 263,944 total inspections to monitor labor law implementation. The MOL reported inspectors visiting 77,552 facilities, having conducted 105,421 field visits to ensure compliance with a ban on midday work from 12:30-3:00 p.m. between June 15 and September 15. Additionally, 27,752 visits were conducted for the purpose of raising awareness in these facilities; only 147 were found in violation. MOL did not report any forced labor cases resulting from these efforts. The government sustained its WPS electronic salary-monitoring system intended to ensure workers received their salaries. The government provided anti-trafficking training or guidance for its diplomatic personnel. The government did not take measures to reduce the demand for commercial sex acts in the UAE.



## UNITED KINGDOM: Tier I

The United Kingdom (UK) is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, including domestic servitude. Most foreign trafficking victims come from Africa, Asia, and Eastern Europe. The government reported a large increase in the number of identified potential victims from the UK and Eastern Europe in 2014. Albania, Nigeria, Vietnam, Romania, and Slovakia were the top countries of origin for potential victims identified during the year. UK men continue to be subjected to forced labor within the UK and in other countries in Europe. UK children are subjected to sex trafficking within the country. Officials identified two potential transgender sex trafficking victims in 2014. UK and foreign adults and children are forced into criminal behavior, including drug production and sale and theft. Children and men, mostly from Vietnam and China, are compelled to work in cannabis cultivation; many are held in debt bondage. Migrant workers in the UK are subjected to forced labor in agriculture, construction, food processing, factories, domestic service, nail salons, food services, car washes, and on fishing boats. Children in the care system and unaccompanied migrant children are vulnerable to trafficking. Foreign domestic workers in diplomatic households are particularly vulnerable to trafficking and abuse. An NGO reported Vietnamese victims of forced criminal activity are transiting the UK *en route* to Ireland.

The Government of the United Kingdom fully complies with the minimum standards for the elimination of trafficking. In 2014, the government issued its first modern slavery strategy, reviewed and made recommendations to improve its victim identification mechanism, and launched a pilot program to strengthen protections for child trafficking victims. The government prosecuted and convicted an increased number of traffickers, appointed an anti-slavery commissioner to coordinate anti-trafficking efforts, and passed the Modern Slavery Act in March 2015. While authorities continued to identify a large number of potential trafficking victims, the victim identification and referral system failed to assist many victims of trafficking, particularly children. Government funding for specialized services remained limited. Some victims were detained and prosecuted for crimes committed as a result of being subjected to trafficking.



### RECOMMENDATIONS FOR THE UNITED KINGDOM:

Increase funding for and access to specialized services for trafficking victims, regardless of their immigration status; allow potential victims to access services from care providers before having to engage with law enforcement and consider extending the reflection and recovery period; increase efforts to prosecute, convict, and sentence traffickers to strong sentences; provide a trafficking-specific long-term alternative to deportation or repatriation to foreign victims; improve multi-stakeholder oversight and specialized services for child victims; increase training to officials and front-line responders, including in UK overseas territories; increase

training for public defenders, prosecutors, and judges to ensure trafficking victims are not prosecuted for crimes committed as a result of being subjected to trafficking; increase investigations in high-risk labor sectors, including by expanding the jurisdiction of and increasing funds for the Gangmasters Licensing Authority; address the vulnerability of foreign domestic workers under the current visa system and explore options to allow workers to change employers; and continue efforts to document anti-trafficking efforts through enhanced data collection.

### PROSECUTION

The government maintained prosecution efforts. UK law prohibits all forms of trafficking. In England, Wales, and Northern Ireland, human trafficking offenses are governed by the Coroners and Justice Act 2009, the Sexual Offenses Act 2003, and the Asylum and Immigration Act 2004, which prescribe penalties of a maximum of 10, 14, and 14 years' imprisonment, respectively. The acts' penalties for sex trafficking are sufficiently stringent and commensurate with those prescribed for other serious crimes. The 2009 act explicitly criminalizes slavery without a precondition that the victim had been smuggled or moved into the country, whereas the other acts require movement as a precondition for trafficking. The Modern Slavery Act 2015 was enacted in March 2015 integrating a variety of criminal offenses used to prosecute traffickers into one act and it prescribed penalties ranging from fines to life imprisonment for trafficking offenses, which are sufficiently stringent and commensurate with those prescribed for other serious crimes. The act allows for confiscation of traffickers' assets, establishes courts' power to make reparation orders to victims, and both requires and establishes some victim protection measures. NGOs expressed concerns the act does not sufficiently address victim protection, especially for domestic workers. In Scotland, the Criminal Justice Act 2003, the Criminal Justice and Licensing Act 2010, and provisions of the UK's Asylum and Immigration Act 2004 prohibit trafficking. In December 2014 Scottish authorities introduced an anti-trafficking bill to create a single offence of human trafficking. Northern Ireland enacted the Human Trafficking and Exploitation Act in January 2015; the act unifies existing anti-trafficking statutes and provides support for victims of human trafficking on a statutory basis. Some traffickers were prosecuted for other offenses, such as inciting child prostitution.

The government did not report the total number of trafficking investigations or prosecutions initiated in 2014. The government reported that between 2013 and 2014, authorities prosecuted 226 individuals for human trafficking or slavery and convicted 155 traffickers, while 71 individuals were acquitted of trafficking or slavery. This represents an increase from the previous reporting period when the government prosecuted 139 individuals for human trafficking, convicting 99 and acquitting 40. Authorities did not report on the sentences or how many were for forced labor, sex trafficking, or forced criminal activity. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking. An independent inquiry detailed systematic child sexual exploitation, including sex trafficking, in the city of Rotherham between 1997 and 2013 and identified wide scale negligence and willful ignorance on the part of police and social services. The London Metropolitan Police anti-trafficking and anti-kidnapping unit worked closely with an NGO to implement a victim-centered approach to sex trafficking investigations and trained other police forces. Scotland maintained an anti-trafficking police team. The governments of the UK, Scotland, and Northern Ireland provided varying levels of

anti-trafficking training to law enforcement officers, prosecutors, and justice officials. Scottish police maintained a mandatory online anti-trafficking training program for new recruits, as did Northern Ireland's police service. UK authorities undertook robust law enforcement collaboration with foreign governments in anti-trafficking cases.

## PROTECTION

The government identified an increased number of potential victims but specialized victim services remained limited. Authorities identified 2,340 potential trafficking victims from 96 countries in 2014 compared with 1,746 potential victims in 2013. Of these, 61 percent were female and 39 percent were male, while 71 percent were adults and 29 percent were children. Authorities identified two transgender potential victims of sex trafficking. The top five countries of origin for potential adult trafficking victims were Albania, Nigeria, Vietnam, Romania and Slovakia; for child victims, it was Albania, Vietnam, the UK, Slovakia, and Nigeria. Of potential adult victims, 14 percent were referred for domestic servitude; 35 percent for other forms of labor trafficking; 40 percent for sex trafficking; and 11 percent for unknown exploitation. Of children, 11 percent were referred for domestic servitude; 31 percent for other forms of labor trafficking; 24 percent for sex trafficking; and 35 percent for unknown exploitation. NGOs and officials reported particular concerns of weak identification of child victims, citing low awareness by police and local authorities of child trafficking indicators.

The national referral mechanism (NRM) has two steps for identifying trafficking victims: a preliminary finding of "reasonable grounds" that an individual is likely a trafficking victim and a final decision of "conclusive grounds" that triggers victim protection. There is no formal appeal process for decisions. Only UK Visas and Immigration in the Home Office and the UK Human Trafficking Centre (UKHTC) can make these decisions. Victims receiving a reasonable grounds decision enter a 45-day program of rest and recovery with access to services such as accommodation, health care, and counseling. Data on positive conclusive ground decisions was unavailable for 2014. Experts reported there was an inherent conflict among Home Office officials in deciding whether someone was an illegal immigrant or a trafficking victim. Officials and NGOs noted low awareness of the NRM in parts of the country, observing that many trafficking victims were not referred through the NRM, and some were treated as criminals. Some victims did not see the benefits of referral or were fearful of the consequences of being brought to the attention of authorities due to immigration status or fear of law enforcement. NGOs reported victims from non-EU countries had a lower chance of receiving a positive "conclusive grounds" decision, as reflected in 2013 NRM decisions data, particularly for citizens from China, Vietnam, and Nigeria. Authorities published a review of the NRM in 2014 and made recommendations to overhaul the system, including expanding the jurisdiction of government agencies to identify victims from solely the UK Visas and Immigration and the UKHTC; setting up a system of regional multi-disciplinary panels to make decisions; improving training and oversight for front-line responders; and removing the reasonable grounds decision to streamline decision-making.

The government maintained a contract with an NGO to coordinate the provision of care in England and Wales for victims during the 45-day recovery and reflection period. The contractor worked with a network of 11 service providers with access to 27 safe

houses to provide accommodation, counseling, and other services. Authorities in Northern Ireland awarded a contract to an NGO to provide services, including access to accommodation, counseling, and health care, to victims during the 45-day recovery and reflection period. Scottish authorities provided funding to two NGOs assisting victims identified through the NRM; one provided accommodation for women subjected to sex trafficking and one provided accommodation for men and women exploited in forced labor. The government did not provide funding for services after the 45 days of care. Experts reported the length of time remained inadequate for service delivery and it was unclear what happened to victims after this time. Authorities acknowledged NRM support was not intended to provide rehabilitation, and noted many victims were still "profoundly vulnerable" after 45 days. NGOs reported cases of victims returning to prostitution or trafficking due to lack of long-term support. NGOs and some officials reported concerns with inadequate funds to address the whole range of victim needs, including legal aid. There were no specific support services for child victims—support was offered by local authorities, and NGOs raised concerns about lack of specialized care, including shelter and adequate mental health care. Government officials and NGOs reported child victims go missing from care and perhaps back to their traffickers; some front-line responders missed opportunities to assist victims due to doubts over the victim's age. The government launched a pilot program in certain cities to appoint trained advocates to manage the care of child trafficking victims, and the Modern Slavery Act 2015 mandates child trafficking advocates. Scottish authorities funded a guardianship system operated by an NGO for unaccompanied children seeking asylum, including trafficking victims.

Regulations for the visa category governing "domestic worker[s] in a private household" require domestic workers to have worked for their employer for at least one year outside of the UK before applying for a work visa; to not be allowed to change employers while in the UK; and to stay for a maximum of six months, after which time they must return home. Experts expressed concerns the domestic workers' dependency on one employer and inability to transfer employment even in the face of abuse rendered them vulnerable to domestic servitude. A parliamentary report found "tying domestic migrant domestic workers to their employer institutionalizes their abuse." One NGO noted that among workers who contacted them, the reports of nonpayment of wages, physical and psychological abuse, and restriction of movement (from migrant domestic workers) had almost doubled from the numbers reported under the previous system.

Regulations allowed trafficking victims in England and Wales to give testimony by video, behind a screen, or with the public removed from the court. The government offered renewable one-year residence permits to foreign victims cooperating with law enforcement or with personal circumstances warranting it, but did not report how many residency permits were issued in 2014. Long-term legal alternatives to removal to countries where victims might face hardship or retribution were only available through asylum procedures. NGOs reported victims who had received a positive grounds decision could not be assured of a successful asylum claim. The Supreme Court ruled foreign trafficking victims have a right to claim damages from their traffickers irrespective of their immigration status. The government did not report how many victims received compensation in 2014, and NGOs reported a lack of awareness of avenues for restitution. In one case, two convicted traffickers were ordered to pay the victim 100,000 pounds (\$156,000) in compensation. NGOs and court findings

indicated the government continued to prosecute and sentence child and adult trafficking victims for crimes committed as a result of their trafficking, despite prosecutorial guidance and court rulings to the contrary. Some victims were penalized despite officials' acknowledgement they were trafficking victims. In 2014, a trafficking expert reported the government prosecuted a Vietnamese child for cannabis cultivation who had received a reasonable grounds decision, and a judge sentenced two Vietnamese men to a year in prison and deportation for cultivating cannabis, while acknowledging the men had been enslaved.

## PREVENTION

The government engaged in a wide range of anti-trafficking prevention efforts. Authorities released the first modern slavery strategy, which created a whole-of-government framework for anti-trafficking efforts and established responsibilities of different government entities to implement these efforts. The Home Office coordinated an inter-ministerial group on modern slavery and launched a new modern slavery hotline. The Department of Justice of Northern Ireland coordinated an engagement group on human trafficking with NGOs and government entities and published a second anti-trafficking action plan as well as a progress report on the previous plan. The Scottish police team maintained an anti-trafficking working group including government and civil society representatives. The Gangmasters Licensing Authority (GLA) labor inspectorate was responsible for investigating exploitative labor conditions in agriculture, food processing, and the shellfish industry. NGOs noted funding and staffing for the GLA had decreased and it did not have jurisdiction to inspect other vulnerable sectors, such as construction, cleaning, hospitality, and the care sector. The Modern Slavery Act 2015 requires some commercial organizations to prepare annual statements outlining steps the organization has taken to ensure human trafficking is not taking place in their supply chain. Northern Ireland's anti-trafficking law criminalized the purchase of sexual services. The government did not report efforts to reduce the demand for forced labor. UK law allows authorities to prosecute citizens for sexual offences committed against children overseas, but the government did not report prosecuting or convicting any nationals engaged in child sex tourism abroad. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not report providing anti-trafficking training to UK troops prior to deployment abroad as part of international peacekeeping missions in 2014.

## OVERSEAS TERRITORIES OF THE UNITED KINGDOM

### BERMUDA

Bermuda is a limited destination country for women and men subjected to forced labor. Some foreign migrant workers from Asia and Latin America are vulnerable to domestic servitude and abuse or to forced labor in the construction and agricultural industries in Bermuda. Several cases of suspected forced labor were reported to and investigated by the Department of Immigration but were ultimately determined not to be trafficking cases. Police and NGOs did not receive any reports of potential trafficking cases. Some employers reportedly confiscate passports, withhold wages, deny benefits, and threaten migrant workers with having to repay the cost of airline tickets. The Transnational Organized Crime Act 2013 criminalizes all forms of both sex and labor trafficking and

prescribes penalties of up to 20 years' imprisonment. Migrant workers in Bermuda operated under a strict system of government work permits obtained by employers on behalf of foreign workers. The government did not report investigations, prosecutions, or convictions of trafficking offenses in 2014. Government resources were inadequate to conduct inspections to identify possible exploitation of foreign workers. No government officials were prosecuted or convicted for involvement in trafficking or trafficking-related criminal activities in 2014.

### TURKS AND CAICOS

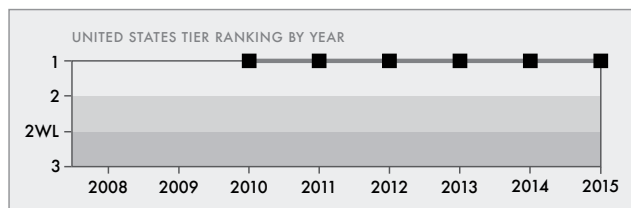
Turks and Caicos Islands are a destination country for men, women, and children subjected to sex trafficking and forced labor. According to local experts, the large population of migrants from Haiti, the Dominican Republic, and Jamaica are vulnerable to sex trafficking and forced labor, with stateless children and adolescents especially at risk. Local stakeholders, including law enforcement officials, have reported specific knowledge of sex trafficking occurring in bars and brothels and noted trafficking-related complicity by some local government officials was a problem. Anti-trafficking legislation introduced in 2012 remained pending. The absence of specific legislation prohibiting trafficking as defined by the 2000 UN TIP Protocol; the absence of victim identification, screening, and protection procedures; and limited awareness of human trafficking on the part of officials and the public continued to hinder anti-trafficking efforts.

## UNITED STATES OF AMERICA: Tier I

The United States is a source, transit, and destination country for men, women, transgender individuals, and children—both U.S. citizens and foreign nationals—subjected to sex trafficking and forced labor. Trafficking can occur in both legal and illicit industries, including in commercial sex, hospitality, sales crews, agriculture, manufacturing, janitorial services, construction, shipyards, restaurants, health and elder care, salon services, fairs and carnivals, peddling and begging, and domestic service. Individuals who entered the United States with and without legal status have been identified as trafficking victims, including participants in visa programs for temporary workers who filled labor needs in many of the industries described above. Government officials, companies, and NGOs have expressed concern about the risk of human trafficking in global supply chains, including in federal contracts. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in fiscal year (FY) 2014 were the United States, Mexico, and the Philippines. Particularly vulnerable populations in the United States include: children in the child welfare and juvenile justice systems; runaway and homeless youth; children working in agriculture; American Indians and Alaska Natives; migrant laborers; foreign national domestic workers in diplomatic households; employees of businesses in ethnic communities; populations with limited English proficiency; persons with disabilities; rural populations; and lesbian, gay, bisexual, and transgender individuals. Some U.S. citizens engage in child sex tourism in foreign countries.

The U.S. government fully complies with the minimum standards for the elimination of trafficking. The federal government continued to investigate and prosecute both sex and labor trafficking, sustaining

high prosecution rates. It also continued to provide various types of specialized services to a greater number of trafficking victims, as well as various types of immigration relief for foreign national victims, including a pathway to citizenship. Prevention efforts included amendment of the Federal Acquisition Regulation to strengthen protections against trafficking in federal contracts. Challenges remain: some NGOs continued to express concern that government officials did not consistently take a victim-centered approach. Some trafficking victims, including those under the age of 18 years, were detained or prosecuted by state or local officials for criminal activity related to their being subjected to trafficking, notwithstanding "safe harbor" laws in some states or the federal policy that victims should not be penalized solely for unlawful acts committed as a direct result of being subjected to trafficking.



## RECOMMENDATIONS FOR THE UNITED STATES:

Encourage the adoption of victim-centered policies at the state and local levels that ensure victims, including children, are not punished for crimes committed as a direct result of being subjected to trafficking; support appropriate housing for child trafficking victims that ensures their physical and mental health and safety; increase screening to identify trafficked persons among at-risk youth, detained individuals, persons with disabilities, and other vulnerable populations; vigorously prosecute labor trafficking; seek input from survivors to improve training, programs, and policies; ensure that criminal restitution is sought for trafficking victims; strengthen prevention efforts, including addressing the demand for commercial sex; engage in culturally based efforts to strengthen coordination among criminal justice and social service systems on behalf of Native American trafficking victims; ensure federal law enforcement officials apply timely for, and state and local law enforcement officials are trained on requesting, Continued Presence for eligible victims; increase training, including in the U.S. insular areas, on indicators of human trafficking and the victim-centered approach for criminal and juvenile justice officials, family court officials, labor inspectors, consular officers, social service and child welfare entities, and first responders; provide links to press releases on federal trafficking cases in a single online location; and support new research on trafficking as it relates to diplomats, military personnel, peacekeepers, and other forms of official complicity.

## PROSECUTION

The U.S. government demonstrated progress in federal anti-trafficking law enforcement efforts. The Trafficking Victims Protection Act of 2000, as amended (TVPA), prohibits all forms of human trafficking. In addition to criminalizing these acts, U.S. law prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement and benefitting financially from these acts. Sex trafficking prosecutions involving children do not require proof of the use of force, fraud, or coercion. A criminal statute on fraud in foreign labor prohibits the use of fraud

to recruit workers for work performed in the United States, or elsewhere on a U.S. government contract, U.S. property, or military installation. Penalties prescribed under these statutes are sufficiently stringent and commensurate with penalties prescribed for other serious offenses; penalties ranged up to life imprisonment. The U.S. Congress introduced several bills in 2014 and 2015 that address trafficking, and in September 2014, the Preventing Sex Trafficking and Strengthening Families Act became law. It amends a federal foster care program to address trafficking, among other things.

The federal agencies responsible for investigating and prosecuting human trafficking offenses remain as described in the 2014 *TIP Report* U.S. narrative. The reporting period marked the culmination of Phase I of the Anti-Trafficking Coordination Team (ACTeam) Initiative launched in 2011 by the Departments of Justice (DOJ), Homeland Security (DHS), and Labor (DOL), which successfully streamlined trafficking investigations and prosecutions. An internal assessment of ACTeam Districts found a significant increase in anti-trafficking convictions involving forced labor, international sex trafficking, and sex trafficking of adults by force, fraud, and coercion. DOJ funded 14 Enhanced Collaborative Model (ECM) anti-trafficking task forces, comprising federal, state, and local law enforcement; labor officials; and victim service providers. During the reporting period, DOL strengthened its mechanism for detecting and referring potential trafficking cases to law enforcement partners, as appropriate.

The federal government reports its law enforcement data by fiscal year (October 1 through September 30). In FY 2014, DHS's U.S. Immigration and Customs Enforcement (ICE) reported opening 987 investigations possibly involving human trafficking, a decrease from 1,025 in FY 2013. The Federal Bureau of Investigation (FBI) formally opened 835 human trafficking investigations, an increase from 734 in FY 2013, and DOJ's ECM taskforces initiated 1,083 investigations. The Department of State (DOS) reported opening 154 human trafficking-related cases worldwide during FY 2014, a decrease from 159 in FY 2013. The Department of Defense (DoD) reported investigating 14 human trafficking-related cases involving military personnel, an increase from nine in FY 2013.

DOJ prosecutes human trafficking cases through the 94 U.S. Attorney's Offices (USAOs) and the two specialized units that serve as DOJ's nationwide subject-matter experts. Taken together, DOJ initiated a total of 208 federal human trafficking prosecutions in FY 2014, charging 335 defendants. Of these prosecutions, 190 involved predominantly sex trafficking and 18 involved predominantly labor trafficking, although some involved both. These figures represent an increase from FY 2013, during which DOJ brought 161 prosecutions charging 253 defendants.

During FY 2014, DOJ secured convictions against 184 traffickers, compared with 174 convictions obtained in FY 2013. Of these, 157 involved predominantly sex trafficking and 27 involved predominantly labor trafficking, although several involved both. These totals do not include child sex trafficking cases brought under non-trafficking statutes. Penalties imposed on convicted traffickers ranged from five years to life imprisonment. For the first time, the government used an extraterritorial jurisdiction provision of the law to convict a trafficker for sex trafficking that took place in another country.

NGOs called for more specific, easily accessible data on federal, state, and local trafficking prosecutions, and for increased prioritization of forced labor prosecutions. A federally-funded



report found that in some instances, law enforcement agencies had difficulty identifying labor trafficking and distinguishing it from other forms of labor exploitation and workplace violations, and that victims' willingness to self-identify and cooperate with law enforcement varied depending on the levels of trust that law enforcement agents established with potential victims and victim service providers.

NGOs voiced concern that federal prosecutors did not vigorously seek mandatory restitution for victims of trafficking. An NGO report released during the reporting period found that, between 2009 and 2012, federal courts ordered restitution in only 36 percent of cases and forced labor victims were substantially more likely to obtain restitution than sex trafficking victims, receiving nearly five times more in restitution on average. The report noted that, while many prosecutors seek restitution, there is confusion about when and on what grounds restitution is owed to sex trafficking victims, and efforts to obtain restitution may falter in cases in which victims performed services that are illegal.

The government demonstrated results in addressing official complicity at both the federal and state levels. The government reported at least four new instances of complicity of government officials in human trafficking. An Army service member was arrested on charges of sex trafficking involving a 17-year-old. A Navy service member was arrested in Hawaii on charges of sex trafficking a 16-year-old. Another Navy service member was investigated on allegations of child sex trafficking and was sentenced in Virginia to five years' imprisonment on lesser charges. A third Navy service member was sentenced for several crimes, including pandering, to 10 years' imprisonment in California for using a child for commercial sex acts involving six other active-duty Navy members. The government made progress on cases mentioned in the previous year's TIP Report. A police officer in the District of Columbia was sentenced to seven years' imprisonment for exploiting girls in prostitution-related activities, and in Texas, a juvenile probation officer was convicted of sex trafficking. These four convictions of officials represent an increase from two the previous year.

In addition to federal laws, state laws form the basis of the majority of criminal actions, making adoption of state anti-trafficking laws key to institutionalizing concepts of compelled service for rank-and-file local police officers. A 2014 NGO report found improvement in states' anti-trafficking laws in recent years, but noted that funding to ensure the implementation of these new laws was a challenge. The report also found there is still a need for state laws that comprehensively assist and protect victims of human trafficking. Another report noted that, even in states with labor trafficking laws, loopholes in federal immigration law and weak state labor codes may hinder prosecution of labor traffickers. In some cases, trafficking victims, including those under the age of 18 years, continued to be treated as criminal offenders.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through FBI's Uniform Crime Reporting Program; however, not all state and local jurisdictions participated, and at the time of reporting, data were not available. There is no formal mechanism to track prosecutions at the state and local levels.

The U.S. government continued efforts to train officials and enhanced its efforts to share information. For example, DOJ developed an online e-guide to provide guidance for effective

taskforce operations and engaged in extensive capacity building for law enforcement, military personnel, social service providers, labor inspectors, *pro bono* attorneys, and others. DHS updated a web-based training course and produced training videos for law enforcement. Federal agencies continued a pilot project in 10 countries to increase the flow of information about human trafficking overseas with a nexus to the United States. FBI and ICE trained local partners on indicators of sex trafficking and led enforcement operations designed to enhance capabilities during and after the 2015 Super Bowl.

## PROTECTION

The federal government increased its efforts to protect trafficking victims; however, the number of victims issued trafficking-specific immigration relief declined from the previous reporting period. The United States improved its delivery of a victim-centered, multidisciplinary response to victim identification and services, certified a significantly higher number of trafficking victims, provided services to more victims, and increased funding for these services. The federal government has formal procedures to guide officials in victim identification and referral to service providers; funds several federal tip lines, including an NGO-operated national hotline and referral service; and funds NGOs that provide trafficking-specific victim services.

Federally-funded victim assistance includes case management and referrals for medical and dental care, mental health and substance abuse treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services such as criminal justice advocacy. The Department of Health and Human Services (HHS) provided comprehensive case management for foreign national and domestic trafficking victims and funded capacity-building grants for child welfare systems to respond to trafficking. DOJ provided comprehensive and specialized services for both domestic and foreign national trafficking victims. Federal funding for victim assistance generally increased in FY 2014. DHS provided victims identified during investigations with access to specialized services and support from victim assistance and forensic interview specialists throughout both the investigation and prosecution stages. DHS provided 446 victims of human trafficking with this assistance in FY 2014, an increase from 330 in FY 2013.

HHS issued 530 certification letters to foreign national adults and 219 eligibility letters to foreign national children in FY 2014, a significant increase from FY 2013, when HHS issued respectively 406 and 114. Certification enables adult victims to receive federal and state services when Continued Presence is granted or when a victim has a bona fide or approved application for "T nonimmigrant status," as described further below. An eligibility letter allows immediate access to federally-funded benefits and services when credible information indicates the child may be a victim of trafficking. HHS awarded \$7.4 million in FY 2014 to three NGOs for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, an increase from \$4.5 million in FY 2013. Through these grants, HHS supported 153 NGO service providers across the country that provided assistance to a total of 1,137 individuals and their family members, an increase from 915 the prior year. NGOs reported that lack of training on the HHS certification process for employees of public benefits offices resulted in the

erroneous denial of benefits for some victims and their families. In FY 2014, HHS provided new funding to serve domestic victims of human trafficking, including \$1.44 million to provide coordinated victim-centered services and \$2.25 million to address trafficking within child welfare systems.

During the reporting period, DOJ provided care to a greater number of trafficking victims, including more labor trafficking victims than last year. From July 1, 2013, to June 30, 2014, DOJ grantees providing victim services reported more than 2,782 open client cases, including 1,366 new victims, compared with 1,911 open client cases and 1,009 new victims in the previous year. DOJ's grantees reported 55 percent of victims served during the reporting period were foreign nationals and 45 percent were U.S. citizens or lawful permanent residents. During FY 2014, DOJ funded 28 victim service organizations across the United States, totaling approximately \$10.9 million, compared with \$11.2 million in FY 2013 and \$5.4 million in FY 2012.

Record-keeping systems used by DOJ and HHS did not allow for cross-referencing to determine which victims were served by both agencies. An NGO reported that disparities remained between the levels of protection for sex and labor trafficking victims, including child labor trafficking victims. A federally-funded study on labor trafficking in the United States found some local law enforcement officials did not recognize indicators of labor trafficking and some labor trafficking victims went months or years after their escape before being connected with service providers. NGOs continued to report federal funding for victim services remained insufficient to address the myriad needs of individual victims. Shelter and housing for all trafficking victims, especially male and labor trafficking victims, continued to be insufficient, and in some cases resulted in victims returning to unsafe situations. The federal government significantly increased funding for victims of human trafficking by appropriating more than \$42 million in funding to DOJ and more than \$15 million in funding to HHS for FY 2015. NGOs also reported authorities sometimes placed children in restrictive residential placements, creating a situation that mimics the victims' circumstances living under their trafficker's control.

Some NGOs reported concerns about the federal government's effectiveness in screening unaccompanied migrant children who came to the attention of federal authorities. The TVPA outlines the procedures that apply to unaccompanied children from contiguous countries who are apprehended at a land border or port of entry. Such children must be screened to ensure they are not victims of and are not at risk of trafficking, that they do not fear persecution, and that they are able to make an independent decision whether to withdraw their applications for admission to the United States. If they meet all these requirements, they may be permitted to withdraw their applications for admission and return to their country of origin. If not, these children must be treated in the same way as unaccompanied children from non-contiguous countries, who must be transferred to HHS within 72 hours of determining the child is unaccompanied. When children are placed in the care and custody of HHS, they are screened for trafficking victimization in the United States or abroad. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include long-term assistance. HHS assisted 113 child victims of trafficking through its Unaccompanied Refugee Minors Program in 2014, which requires states to provide the same assistance, care, and services available to foster children.

The United States supported foreign national and U.S. citizen victims by using victim assistance coordinators in law enforcement and prosecutors' offices during trafficking investigations and prosecutions, and by providing foreign nationals immigration protection. DHS provides trafficking-specific immigration relief to trafficking victims in two ways: short-term Continued Presence and longer-term "T nonimmigrant status" (commonly referred to as the T visa). Both statuses confer the right to legally work in the United States. T visa applicants must be in the United States on account of trafficking and show cooperation with reasonable requests from law enforcement unless they are under 18 years of age or are unable to cooperate due to trauma suffered. In the application for the T visa, victims may petition for certain family members, including certain extended family members who face a present danger of retaliation; T visa beneficiaries and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. After three years, or upon the completion of the investigation or prosecution, victims with T visas may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship.

In FY 2014, DHS issued Continued Presence to 130 trafficking victims who were potential witnesses, a continued decrease from 171 in FY 2013 and 199 in FY 2012. DHS granted T nonimmigrant status to 613 victims and 788 eligible family members of victims in 2014, representing a decrease from 848 and 975, respectively, from the two previous periods. Scheduled updates to T visa implementing regulations were not released. NGOs reported ongoing concerns about the low numbers of Continued Presence issued to trafficking victims and the difficulty some labor trafficking victims faced in obtaining Continued Presence. In April 2015, DOL began implementing a new policy of certifying applications for T visas, which NGOs noted will provide more opportunities to provide victims with needed support. NGO reports also stated that in some cases immigration enforcement by state and local law enforcement officers negatively affected immigrant victims' willingness to approach local authorities for help.

Another immigration benefit available to trafficking victims is the "U nonimmigrant status" (commonly referred to as the U visa) for victims of certain qualifying crimes who are helpful in the investigation or prosecution of the qualifying criminal activity. There is a 10,000 statutory maximum for the U visa each fiscal year. In FY 2014, there were 17 approved principal applicants where trafficking was the qualifying crime. In 2015, DOL also expanded its U visa program to consider certification requests for three additional qualifying crimes: forced labor, fraud in foreign labor contracting, and extortion. However, NGOs reported trafficking victims continued to face difficulties obtaining U visas, citing increased processing periods in some cases and overall demand that exceeded the annual statutory cap. DHS reported decreased application processing times for both T and U visas in FY 2014.

In 2014, a DOS program reunified 327 family members with identified victims of trafficking in the United States, an increase from 240 in FY 2013, and 209 in FY 2012. This program provided five survivors with assistance returning to their home countries. DOS provided \$724,893 in FY 2014 to support this program.

Multiple agencies across the federal government continued to provide training to federal, state, local, and tribal law enforcement, as well as to NGO service providers and health and human service providers to encourage more consistent application of

a victim-centered approach in all phases of victim identification, assistance, recovery, and participation in the criminal justice process.

Although federal, state, and local grant programs existed for vulnerable children and at-risk youth, child trafficking victims, especially boys and transgender youth, faced difficulties obtaining needed services. During the reporting period, HHS maintained level funding to train service providers for runaway and homeless youth and continued to provide formal guidance to states and service providers on addressing child trafficking, particularly as it intersects with the child welfare system and runaway and homeless youth programs. An NGO noted reports of gang-controlled child sex trafficking and of the growing use of social media by traffickers to recruit and control victims. NGOs continued to express concern that federal and state efforts to prevent and respond to child labor trafficking allegations were inadequate.

Some trafficking victims, including those under 18 years of age, were detained or prosecuted for conduct committed as a direct result of being subjected to trafficking. NGOs reported many state and local authorities failed to treat sex-trafficked children as victims of trafficking by arresting and incarcerating them, including in states with “safe harbor” laws designed to protect them from such criminalization. Further, NGOs reported state and local law enforcement continued to arrest some identified trafficking victims in order to ensure they would have access to services through detention, and, in some cases, to obtain testimony against their trafficker. To address these challenges, HHS facilitated training with advocates, attorneys, and service providers across the United States to increase identification of child trafficking victims.

## PREVENTION

The U.S. government made progress on efforts to prevent trafficking. The President’s Interagency Task Force to Monitor and Combat Trafficking in Persons reported on agency accomplishments in combating human trafficking. Federal agencies provided opportunities for stakeholder input and transparency, including by convening a White House forum with private sector leaders and NGOs on combating human trafficking in supply chains, and incorporating survivor consultants in government training courses and outreach campaigns. The government continued to implement the *Federal Strategic Action Plan on Services for Victims of Human Trafficking in the United States, 2013 – 2017*.

The government continued public outreach measures about the causes and consequences of human trafficking. HHS continued to fund an NGO to operate the National Human Trafficking Resource Center and hotline that received more than 21,000 calls in 2014 from across the United States. At the state level, 25 states required or encouraged a trafficking hotline number to be posted or promoted. U.S. embassies and consulates worldwide provided a “Know Your Rights” pamphlet that included the national hotline number and confirmed that applicants for temporary work and exchange visitor visas received, read, and understood the pamphlet, an effort that subsequently generated 791 calls to the national hotline. Some embassies and consulates also began to play in consular waiting rooms a new “Know Your Rights” video, available in 13 languages. One federally-funded report found more training was needed for consular officers in detecting trafficking. The Department of Transportation and DHS created a human trafficking awareness campaign for the motor coach industry that incorporated stakeholder input. In 2015, DHS continued its nationwide human trafficking public awareness Blue Campaign

and trained both U.S. and international law enforcement. HHS created a new “End Trafficking” website and conducted outreach to new communities, including tribal leaders. The Department of Education completed an online guide to help school communities identify potential victims, take the appropriate steps to protect students, and work with law enforcement partners. The U.S. Agency for International Development funded anti-trafficking activities in more than 15 countries. The Equal Employment Opportunity Commission (EEOC) conducted more than 250 anti-trafficking outreach events, including media interviews, trainings, and presentations to underserved populations. The Department of Agriculture (USDA) in partnership with DHS launched human trafficking awareness training available to more than 100,000 USDA employees in all 50 states and abroad. DoD provided annual anti-trafficking training for all DoD personnel, civilian and military, including troops prior to their deployment abroad as part of international peacekeeping missions. The government also continued to conduct a number of awareness activities for its personnel, including general awareness trainings, trainings specific to law enforcement and acquisition professionals, and increased efforts to train staff in field offices. NGOs noted prevention efforts should better emphasize victims’ rights and protections under federal law and should seek survivor input to better reach potential victims.

There were reports of abuses, including allegations of human trafficking, of workers in the United States on work-based or other nonimmigrant visas. In a March 2015 report, the Government Accountability Office recommended increased protections for foreign workers. NGOs reported the United States had insufficient laws regulating foreign labor recruiters and fraud was rampant among these recruiters. To reduce the vulnerability of migrant workers, NGOs called for the passage of a federal law that, in addition to prohibiting recruiters from charging fees to workers, would mandate recruiters disclose the terms of employment, register recruiters with the government, and subject recruiters to penalties for violating these protections. During the reporting period, DOL and DHS took steps to strengthen worker protections with respect to wages, working conditions, transparency around the identity of foreign labor recruiters, and benefits and remedies, including protection from retaliation, that must be offered to H-2B (temporary non-agricultural workers) and U.S. workers performing similar jobs. Both the H-2A (temporary agricultural workers) and H-2B programs prohibit directly or indirectly charging foreign workers job placement, recruitment, or other fees related to employment, and both require disclosure of the terms of employment.

In the J-1 Summer Work Travel Program, DOS prohibited jobs deemed dangerous to exchange visitor health, safety, and welfare, and continued to implement a program to monitor participant health, safety, and welfare. In summer 2014, DOS visited 676 exchange visitor sites in 33 states and, by early 2015, DOS had conducted 54 site visits in six states.

The government provided anti-trafficking training for its diplomatic personnel, aimed at preventing their engagement in or facilitation of trafficking crimes. DOS provided both classroom and web-based training for diplomatic security personnel, consular officers, and other employees. The government continued efforts to prevent forced labor of domestic workers employed by foreign mission personnel (or by foreign employees of international organizations) in the United States, including by prohibiting deductions from wages for food and lodging and requiring non-cash wage payments directly

to the worker. In 2014, DOS briefed foreign embassy Deputy Chiefs of Mission reiterating U.S. requirements and the foreign missions' responsibility for the welfare of these workers. Despite these efforts, NGOs raised concerns that foreign diplomats could evade current protection measures in place for foreign domestic workers and recommended the government take additional steps to protect domestic workers employed by foreign diplomats.

Civil enforcement of federal laws was a significant component of the government's anti-trafficking efforts. DOL targeted industries employing vulnerable workers, and its field investigators were sometimes the first government authorities to detect exploitative labor practices. EEOC, which enforces Title VII of the Civil Rights Act of 1964 and other employment discrimination statutes, continued to litigate three cases involving human trafficking on behalf of over one thousand claimants.

Federal law allows for a trafficked person to independently file a civil cause of action. In 2015, a federal jury awarded \$14 million in damages to five Indian guest workers victimized in a labor trafficking scheme in Mississippi who filed civil claims. This amount was the largest ever awarded by a jury in a labor trafficking case in the United States. NGOs noted the importance of state law provisions, such as California's civil code, that allow for claims to be filed on behalf of trafficking victims.

U.S. laws provide extraterritorial jurisdiction over child sex tourism offenses perpetrated overseas by U.S. citizens. FBI made six criminal arrests resulting in six indictments and two individuals were convicted in child sex tourism cases in FY 2014. DHS took proactive steps to prevent child sex tourism in 2014 and shared information with foreign law enforcement counterparts about registered child sex offenders prior to their travel abroad (from the United States). DHS made more than 45 child sex tourism related arrests in FY 2014.

The U.S. government undertook efforts to reduce the demand for commercial sex and forced labor in the reporting period. DHS worked with city and state partners to raise awareness of trafficking in advance of the 2015 Super Bowl. DoD issued a new policy prohibiting U.S. military personnel in South Korea from paying for companionship of employees of so-called "juicy bars" because of the bars' links with prostitution and sex trafficking. DoD investigated 39 cases of service members allegedly violating DoD's prohibition relating to the procurement of commercial sex, up from 27 such investigations the previous year.

The government amended the Federal Acquisition Regulation in 2015 to strengthen protections against trafficking in federal contracts, including by prohibiting contractors and those in their supply chain from charging employees recruitment fees, using recruiters that do not comply with local labor laws of the country where the recruiting takes place, or using misleading or fraudulent recruitment practices. FBI and other federal law enforcement agencies investigated allegations of debt bondage and excessive recruitment fees that were required of third-country nationals working on certain U.S. government contracts abroad. There were no reports of civil actions or criminal prosecutions, or other sanctions against noncompliant employers and labor contractors, including debarment of noncompliant employers or labor contractors from U.S. programs.

DOL updated the list of goods it has reason to believe are produced by child labor or forced labor in violation of international

standards to add alcoholic beverages and meat. DOL translated into three languages its web-based toolkit providing guidance to businesses and other stakeholders to address child labor and forced labor in global supply chains.

The Department of the Interior (DOI) provides services directly or through contracts, grants, or compacts to 566 federally-recognized tribes with a service population of about 1.9 million American Indian and Alaska Natives, known to include populations vulnerable to human trafficking. In FY 2014, DOI continued outreach to numerous federal, state, and tribal law enforcement agencies to determine how human trafficking affects tribal communities and to identify promising practices and needed services for victims. HHS continued to host community listening sessions with tribal leaders, integrated human trafficking as part of its tribal consultation activities, and issued an information memorandum on human trafficking to all 183 Administration for Native American grantees from across the nation and Pacific territories. HHS funded an NGO providing education and work force development for young American Indian men at high risk for commercial sexual exploitation and piloted training for health care providers serving potential victims of human trafficking in the Bakken area of North Dakota. Challenges include a lack of a criminal justice infrastructure adequate to the needs of Indian country and a scarcity of social services for victims.

## U.S. INSULAR AREAS

All forms of trafficking are believed to occur in the U.S. insular areas. In the Commonwealth of Puerto Rico, during the reporting period, a child sex trafficker was convicted and sentenced to more than 24 years' imprisonment. The Puerto Rico Police Department and DHS investigated this case, and DOJ prosecuted it in federal court. While three sections of Puerto Rico's penal code address human trafficking and slavery, it has not been updated to reflect modern anti-trafficking laws. In the U.S. Virgin Islands (USVI), an anti-trafficking bill introduced in a previous session was not enacted. In 2014, HHS funded anti-trafficking training in Puerto Rico and USVI. In Guam, there was a Human Trafficking Task Force consisting of four committees: Outreach and Research, Intervention, Law Enforcement, and Victim Services. There was also a DOJ-led taskforce in the Commonwealth of the Northern Mariana Islands (CNMI). There were no known human trafficking investigations, prosecutions, or victim identifications in American Samoa, CNMI, Guam, or USVI during the reporting period.

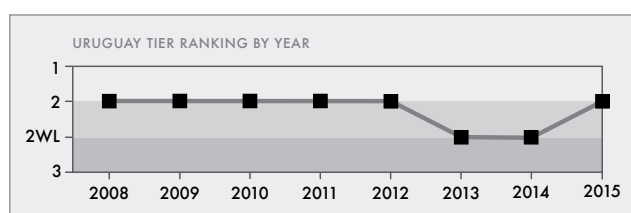
## URUGUAY: Tier 2

Uruguay is a source, transit, and destination country for men, women, and children exploited in forced labor and sex trafficking. Uruguayan women and girls—and to a more limited extent transgender and male youth—are exploited in sex trafficking within the country. Uruguayan women are forced into prostitution in Spain, Italy, Argentina, and Brazil, though numbers of identified Uruguayan victims exploited abroad have decreased in recent years. Women from the Dominican Republic, and to a lesser extent from South American countries, are exploited in sex trafficking in Uruguay. Foreign workers in domestic service, agriculture, and lumber processing are vulnerable to forced labor. Some foreign fishermen aboard foreign-flagged commercial boats that have docked in Uruguay have reported indicators of forced labor, such as nonpayment of wages and physical and verbal abuse.



Uruguayan officials have identified citizens of other countries, including China and the Dominican Republic, transiting Uruguay *en route* to other countries, particularly Argentina, as potential victims of sex and labor trafficking.

The Government of Uruguay does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Authorities identified and assisted an increased number of potential foreign sex trafficking victims and achieved the country's first reported conviction for labor trafficking. The lack of accurate data on trafficking investigations, prosecutions, and convictions made it difficult to assess the government's overall law enforcement efforts. Government funding for victim services, particularly for lodging, continued to be inadequate. The extent of efforts to assist internal trafficking victims and investigate internal trafficking cases was unclear, in part because Uruguayan law defines human trafficking as a movement-based crime.



## RECOMMENDATIONS FOR URUGUAY:

Intensify efforts to investigate and prosecute all forms of trafficking and hold traffickers accountable through convictions and sufficiently stringent sentences; pass and enact a law that prohibits all forms of trafficking and specifically criminalizes prostitution of children as child sex trafficking; increase funding for and availability of specialized services for trafficking victims; continue to increase training for law enforcement officials, labor inspectors, prosecutors, judges, and social workers on how to identify and assist victims of sex and labor trafficking; implement a data collection system to maintain official statistics on law enforcement efforts and victim identification; create and implement formal guidelines for additional government officials to identify trafficking victims among vulnerable populations, including people in prostitution and migrant workers; and publish and implement a national action plan.

## PROSECUTION

The government convicted two labor traffickers, but made mixed progress on other law enforcement efforts. Article 78 of the immigration law, enacted in 2008, prohibits only transnational forms of trafficking, prescribing penalties of four to 16 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes. This article establishes the use of violence, intimidation, deceit, or abuse of the vulnerability of the victim as an aggravating factor rather than an essential element of the crime. Articles 280 and 281 of the penal code prohibit forced labor occurring within Uruguay's borders, prescribing sentences ranging from two to 12 years' imprisonment for reducing a person to slavery or for imprisonment for the purposes of profiting from the coercive use of the victim's services. Authorities can use sexual exploitation or pimping statutes to prosecute domestic sex trafficking cases; some of these statutes prescribe lesser sentences that can be commuted to community service or fines. Two judges in the specialized court on organized

crime in Montevideo had jurisdiction over all trafficking cases carried out by organized criminal groups of three or more individuals; this court lacked sufficient staffing and funding. Some trafficking cases meeting these guidelines were not referred to this court by local officials. All other trafficking cases were heard by local courts with less expertise in human trafficking.

The government did not collect comprehensive data on anti-trafficking law enforcement efforts and had no system for tracking court cases. Uruguayan officials reported investigating two transnational sex trafficking cases in 2014, but did not report how many internal trafficking investigations were initiated during the year. A prosecutor and a judge determined there was insufficient evidence to investigate claims of labor trafficking of African fishermen aboard a Chinese-flagged vessel, ruling that any potential abuse occurred out of Uruguay's jurisdiction. Notably, not all potential victims in this case were interviewed. The labor ministry brokered an agreement between the Chinese company and the fishermen to cover back pay and the fishermen's return to their countries of origin. The government initiated the prosecutions of five suspected sex traffickers in two cases in 2014; both cases involved Dominican victims. The organized crime court convicted two traffickers for labor trafficking in 2014; after appeal, the sentences were reduced to 24 months' and 10 months' imprisonment, below the mandatory minimum under Article 78. The government did not report if either sentence was suspended. In comparison, authorities did not report any trafficking convictions in 2013. The government did not report any other prosecutions or convictions despite numerous press reports of possible trafficking investigations in recent years. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses. The government provided training to law enforcement, immigration, and judicial officials on human trafficking, including in partnership with an international organization. Authorities reported collaboration with foreign governments on an unspecified number of trafficking investigations in 2014.

## PROTECTION

Uruguayan authorities assisted an increased number of transnational trafficking victims in 2014, although specialized victim services remained inadequate. While labor inspectors screened for possible trafficking cases and Uruguayan officials had access to a regional guide on how to identify female victims of international sex trafficking, some officials lacked guidelines for identifying trafficking victims among vulnerable populations. The Ministry of Social Development (MIDES) reported assisting 113 possible victims of trafficking and sexual exploitation in 2014, including five potential labor trafficking victims, a significant increase from 40 possible victims identified in 2013. Ninety-seven possible victims were from the Dominican Republic, while 12 were Uruguayan. The government did not distinguish between women consensually engaged in prostitution and potential victims of sex trafficking, so it was unclear how many of the women assisted by MIDES were exploited in sex trafficking. Authorities did not report identifying any male victims, although an international organization assisted three male victims. The government did not report identifying any child victims of trafficking in 2014 and the National Institute for Children and Adolescent Affairs (INAU) did not report how many children it identified in commercial sexual exploitation during the year.

The government provided 2,730,000 Uruguayan pesos (\$114,000) for MIDES to assist adult female sex trafficking victims and women in prostitution with psychological, medical, and other services. MIDES provided some of this funding to an NGO providing specialized services. There were no specialized shelters for trafficking victims in the country, and NGOs and the government reported a need for more adequate lodging options for sex trafficking victims, as accommodation at other shelters accessible to victims was often not available. INAU did not report how many child trafficking victims it assisted at shelters for at-risk youth. Victim care services were weaker outside the capital. There were no specialized services for male trafficking victims. While authorities did not identify the 28 African fishermen as labor trafficking victims, they provided the men with health care and lodging for several weeks before repatriation. NGOs reported a need for long-term services such as reintegration, housing, and mental health care. MIDES provided an unspecified number of trafficking victims with employment assistance services. There were no reports trafficking victims were jailed, deported, or otherwise penalized for acts committed as a direct result of being subjected to human trafficking. While the government did not offer trafficking-specific legal alternatives to victims' removal to countries where they faced retribution or hardship, authorities offered general asylum and residential work permits to foreign trafficking victims in 2014.

## PREVENTION

The government maintained limited prevention efforts during the year. MIDES chaired an interagency committee that coordinated government anti-trafficking efforts; a decree made the committee an official government institution in 2014. Experts reported the committee met infrequently and was largely ineffective. A draft national plan remained under development in 2014. Authorities conducted awareness campaigns largely focused on sex trafficking, including in tourist areas, and launched a campaign with EU funding to raise awareness on commercial sexual exploitation of children. The government took actions to reduce the demand for commercial sex acts involving children by charging individuals who paid children for commercial sex, but did not make efforts to reduce the demand for forced labor. Authorities provided anti-trafficking training to Uruguayan troops prior to their deployment on international peacekeeping missions during the year. The government provided anti-trafficking training or guidance for its diplomatic personnel.

## UZBEKISTAN: Tier 2 Watch List

Uzbekistan is a source country for men, women, and children subjected to forced labor and women and children subjected to sex trafficking. Uzbekistani women and children are subjected to sex trafficking in the Middle East, Eurasia, and Asia, and also internally in brothels, clubs, and private residences. Uzbekistani men, and to a lesser extent women, are subjected to forced labor in Kazakhstan, Russia, and Ukraine in construction, oil, agricultural, retail, and food sectors. Internal trafficking is prevalent in the country. Government-compelled forced labor of adults remains endemic during the annual cotton harvest. In 2014, despite a central government-decree banning all participation of those under age 18 in the cotton harvest, local officials mobilized children in some districts. In addition, across much of the country,

third-year college and lyceum students continued to be mobilized, an unknown number of whom were not yet 18 years old. Some independent observers alleged that the decreased use of child labor was counterbalanced by an increase in the government's mobilization of adult forced labor to harvest cotton in 2014. There were limited reports that students, at certain institutions, faced the threat of suspension, expulsion, or other forms of harassment by school administrators and teachers if they refused to pick cotton. Some adults who refused to pick cotton, did not pay for a replacement worker, or who did not fulfill their daily quota may have been threatened with the loss of social benefits, termination of employment, and harassment. Private companies in some regions mobilized employees for the harvest under the implicit threat of increased government inspections and taxes. Some independent observers allege that some workers were injured or died, at least in part, due to harvest-related activities in 2014. There were also limited reports that, in some regions, teachers, students, private business employees, and others were at times forced by local officials to work in construction, agriculture, and cleaning parks.

The Government of Uzbekistan does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government issued and publicized a decree prohibiting the forced labor of children under age 18 in the 2014 cotton harvest and fined college directors and farms for using child labor to pick cotton. In 2014, the government signed a Decent Work Country Programme agreement with ILO to develop national policies to support the government in its observance of ILO Conventions 182 (Worst Forms of Child Labour) and 105 (Abolition of Forced Labour). One component of the agreement authorizes ILO to perform a survey on recruitment practices and working conditions in agriculture, especially the cotton sector. The government also agreed with the World Bank and ILO to allow ILO to monitor the 2015-2017 cotton harvests for child and forced labor in five World Bank-funded project areas, which comprise approximately 60 percent of Uzbekistan's cotton producing territory. Despite these efforts, serious concerns persist, as government-compelled forced labor of adults remained endemic in the 2014 cotton harvest. There were also reports that local government officials, under pressure to fulfill government-decreed cotton quotas, mobilized children in some districts of certain regions, in contravention of the government decree. The government also allegedly attempted to conceal possible labor violations in cotton fields by threatening and detaining at least two activists who were attempting to document them. Regarding protection efforts, the government continued to fund a trafficking rehabilitation center for men, women, and children and Uzbekistan's diplomatic missions abroad helped repatriate 368 victims.



## RECOMMENDATIONS FOR UZBEKISTAN:

Continue substantive ongoing actions to eliminate forced child labor during the annual cotton harvest; take substantive action to end the use of forced adult labor during the annual cotton harvest; grant independent civil society groups full, unfettered

access to monitor the annual cotton harvest; investigate and, when sufficient evidence exists, prosecute officials complicit in human trafficking, respecting due process; remove language in contracts that requires college students and state employees to participate in the cotton harvest; improve procedures for identifying trafficking victims to ensure they are systematic and proactive, and efficiently refer victims to protection services; promote awareness of labor rights, including in regard to the cotton harvest, and develop a transparent process for registering and investigating violations of those rights; cease harassment of activists for documenting labor conditions; take additional steps to ensure victims are not penalized for acts committed as a result of being subjected to trafficking, including for illegal border crossing; continue to provide in-kind support to anti-trafficking NGOs to assist and shelter victims; and continue efforts to investigate and prosecute suspected trafficking offenders, respecting due process.

## PROSECUTION

The government demonstrated mixed law enforcement efforts; although it made efforts to combat sex and transnational labor trafficking, there was no similar effort to address government-compelled forced labor of adults in the cotton harvest and comprehensive enforcement of the decree prohibiting forced child labor lagged, as local officials in some districts mobilized children at the end of the harvest. Article 135 of the criminal code prohibits both forced prostitution and forced labor, and prescribes penalties of three to 12 years' imprisonment, which are sufficiently stringent and commensurate with punishments prescribed for other serious crimes, such as rape. Uzbekistan's law enforcement data are opaque and cannot be independently verified. In 2014, law enforcement agencies reported conducting 1,016 trafficking investigations, compared with 1,093 investigations in 2013. Authorities reported prosecuting 641 people and convicting 583 trafficking offenders in 2014, compared with 597 in 2013. The government reported 559 convicted offenders were sentenced to time in prison and 19 traffickers were sentenced to correctional labor, compared with 583 convicted offenders sentenced to time in prison in 2013. The government reported that of the 583 convicted and sentenced offenders, 130 subsequently received suspended sentences. In 2014, the Ministry of Interior (MOI) converted an existing law enforcement unit in Tashkent to an anti-trafficking section and increased the number of staff devoted to trafficking in each regional anti-trafficking unit.

Official complicity in human trafficking in the cotton harvest remained prevalent. Some adults who refused to pick cotton, pay for a replacement worker, or who did not fulfill their daily quotas may have been threatened with the loss of critical social benefits, termination of employment, and harassment. According to reports, some regional and local authorities applied varying amounts of pressure on government institutions, universities, and businesses to organize students, teachers, medical workers, government and military personnel, private sector employees, and local residents to pick cotton during the 2014 harvest. While there were limited reports of students who obtained exemptions from cotton harvesting by citing Uzbekistan-ratified ILO conventions, other students may have faced the threat of suspension, expulsion, or other forms of harassment by school administrators and teachers if they refused to pick cotton. State employees, including teachers and hospital workers, are bound by a clause in their collective bargaining agreement to be transferred elsewhere for up to 60 days each year and university students sign contracts requiring their participation in the harvest as a condition of school enrollment.

These contracts were used to legitimize the mobilization of public sector workers and university students for the cotton harvest. In some districts and cities, local officials pressured private companies to mobilize some of their employees for the harvest with an implicit threat of increased government inspections and taxes. Police threatened and detained at least two activists attempting to document labor violations in the cotton fields.

## PROTECTION

The government made efforts to identify, assist, and protect victims of sex and transnational labor trafficking, but demonstrated minimal efforts to assist victims of forced labor in the cotton harvest. In 2014, in observance of the application of the Abolition of Forced Labour Convention which Uzbekistan ratified in 1997, ILO began a survey, with government approval, on recruitment practices and working conditions in agriculture, especially the cotton sector. As the government did not openly acknowledge domestic forced labor of adults in the cotton sector, the identification of and assistance to such victims was stymied. The government reported it identified 1,208 trafficking victims in 2014, the majority of whom were subjected to forced labor, compared with 1,392 in 2013. Of these victims, 143 were exploited within the country, while the remaining victims were Uzbekistani citizens subjected to human trafficking in other countries. NGOs and an international organization identified and assisted 847 trafficking victims in 2014, compared with 451 in 2013. NGOs stated the increase reflected improved collaboration with officials who more consistently referred victims to NGOs.

ILO had neither the mandate nor funding to monitor the 2014 harvest, but provided technical support to the government's monitoring mission. The government conducted monitoring through the creation of eight territorial monitoring groups consisting of government officials, NGO representatives, and the Federation of Trade Unions. These groups conducted 745 interviews across 172 rural regions, including visits to 316 vocational colleges and lyceums and 395 farms. Over the course of the monitoring period, the government reported 41 cases of children picking cotton alongside their parents, as compared with 53 cases of child labor identified during the 2013 harvest. Observers similarly reported a decrease in the number of children mobilized for the 2014 harvest. However, observers also documented local officials in some districts sending entire classes of 13- to 17-year-olds to pick cotton towards the end of the harvest and confirmed at least one instance where two children were required to stay out of the cotton fields on a particular day to evade the government's monitoring.

The government did not have a systematic process to proactively identify victims from vulnerable populations, including those subjected to internal trafficking, and refer those victims to protective services. Police, consular officials, and border guards referred potential trafficking victims who were returning from abroad to NGOs for services. Government-provided rehabilitation and protection services were contingent on victims receiving official "victim" status by filing a criminal complaint with the Inter-agency Commission to Combat Trafficking in Persons and the MOI's affirmative decision to open an investigation into the case. Victims who cooperated with law enforcement were allowed to receive security, including escorts to and from trials, under the anti-trafficking law. NGOs reported officials were increasingly complying with legal requirements to maintain victim confidentiality.

The government continued to fund a trafficking rehabilitation center for men, women, and children, which assisted 369 victims in 2014; it included a 30-bed shelter and provided medical, psychological, legal, and job placement assistance. Victims could discharge themselves from the shelter. To remain at the shelter, however, victims had to obey rules, such as obtaining permission to leave, and adhere to a curfew. The government provided funding to local NGOs to conduct vocational trainings and provide health services for victims, in addition to tax benefits and the use of government-owned land. Victims were eligible for medical assistance from the government; in 2014, 898 victims received medical examinations and follow-up care. Uzbekistan's diplomatic missions abroad helped repatriate 368 victims. While there were reports of potential transnational sex and labor trafficking victims facing criminal penalty of a substantial fine or imprisonment for illegally crossing the border, once victims were formally recognized as such, the law exempted them from prosecution for acts committed as a result of being subjected to trafficking. When such victims were nonetheless charged, NGOs reported success in having the charges dropped.

## PREVENTION

The government improved anti-trafficking prevention efforts. The government continued to implement its national action plan and wide-scale public awareness efforts on transnational sex and labor trafficking, including through events, print media, television, movies, and radio. The Coordination Council on Issues of Child Labor conducted a nationwide campaign about the illegality and risks of using child labor in the cotton harvest by posting bulletins and fliers in schools, colleges and lyceums, distribution of printed information on ILO Convention 182 to administrative officials throughout the country, and hosting roundtables and seminars on child labor. Despite these efforts, local officials in some districts violated the decree banning the use of child labor and mobilized children for the cotton harvest. Eleven professional college directors and two farms were fined for using child labor to pick cotton. The government reported farms paid the levied fines; however, it is unclear if the college directors similarly paid the fines. A limited number of students were able to successfully use a government regulation on the prohibition of the cotton harvest interfering with school work to receive an exemption from the harvest. With government approval, in 2014, the ILO began a survey on recruitment practices and working conditions in agriculture, especially the cotton sector. The government agreed with the World Bank and ILO to allow ILO to monitor the 2015-2017 cotton harvests for child and forced labor in five World Bank-funded project areas, which comprise approximately 60 percent of Uzbekistan's cotton-producing territory. One of the projects includes a cotton harvest mechanization component, which will serve as a preliminary model for the government's plan to increasingly mechanize the harvest and reduce some of the future demand for manual labor. The government also continued to obtain cotton harvesting machines and planned the allocation of the machines to the regions that are most susceptible to labor violations.

The government continued to provide NGOs venues for training programs and awareness-raising activities, as well as free billboard advertising space. The government did not conduct efforts to reduce the demand for commercial sex acts. Uzbekistan was reportedly a destination country for Indian men engaging in sex tourism, including potential child sex tourism. The government

provided anti-trafficking training or guidance for its diplomatic personnel.

## VENEZUELA: Tier 3

Venezuela is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, are subjected to sex trafficking within the country. NGOs continue to report Venezuelan women are subjected to forced prostitution in Caribbean islands, particularly Aruba, Curacao, and Trinidad and Tobago. Venezuelan children are exploited, frequently by their families, in domestic servitude in areas such as cooking, cleaning, and childcare within the country. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries within Venezuela. Ecuadorian children and women residing in Venezuela are subjected to forced labor in the informal sector and domestic servitude. Reports indicate some of the estimated 30,000 Cuban citizens, particularly doctors, working in Venezuela on government social programs in exchange for the Venezuelan government's provision of resources to the Cuban government may have experienced treatment indicative of forced labor. Indicators of forced labor reported by some Cubans participating in the program include chronic underpayment of wages, mandatory long hours, and threats of retaliatory actions to the citizens and their families if they leave the program.

The Government of Venezuela does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. Authorities convicted three sex traffickers and reported training government officials on human trafficking. The lack of reliable data on government anti-trafficking efforts made these efforts difficult to assess. The government reported identifying and assisting some trafficking victims; however, it did not provide detailed information on assistance provided and victim services remained inadequate. Publicly available information indicated many law enforcement efforts under trafficking statutes dealt with illegal adoption. The extent of efforts to investigate internal forced labor, to assist children in prostitution, or to improve interagency coordination to address trafficking was unclear.



## RECOMMENDATIONS FOR VENEZUELA:

Provide specialized services for trafficking victims, including child sex trafficking victims, working in partnership with civil society organizations and other service providers; strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor; and convict and punish traffickers; develop and publish an anti-trafficking action plan and allocate resources to implement this plan; enhance interagency cooperation, perhaps through forming a permanent anti-trafficking working



group; implement formal and proactive procedures for identifying trafficking victims among vulnerable populations, such as people in prostitution, and for referring victims for care; continue to train government officials on how to identify and respond to potential human trafficking cases; issue guidance to clarify that cases of child prostitution should be handled as child sex trafficking; and improve data collection on government anti-trafficking efforts and make this data publicly available.

## PROSECUTION

The government appeared to increase efforts to hold traffickers criminally accountable, though the lack of comprehensive public data on investigations, prosecutions, and convictions made overall law enforcement efforts against human trafficking difficult to assess. Venezuelan law prohibits most forms of human trafficking through a 2007 law on women's rights and a 2005 law on organized crime amended in 2012; these laws prescribe punishments of 20 to 30 years' imprisonment for trafficking of women and girls, for transnational trafficking of men and boys, and for internal trafficking of men and boys when carried out by a member of an organized criminal group of three or more individuals. The penalties for these trafficking crimes are sufficiently stringent and commensurate with penalties prescribed under Venezuelan law for other serious crimes, such as rape. In cases of internal trafficking involving male victims, prosecutors could bring charges against traffickers under other statutes. The law diverges from the 2000 UNTIP Protocol by penalizing illegal adoption as human trafficking. Venezuela's legislature did not pass a draft anti-trafficking law, first introduced in 2010, during the year.

Venezuelan authorities did not report how many total trafficking cases were investigated or how many individuals were prosecuted or convicted for human trafficking in 2014. According to government websites and media reports, many cases pursued under trafficking laws during the year involved illegal adoption, although officials initiated the prosecution of at least one transnational forced labor case investigated in 2013. Media coverage indicated some child sex trafficking cases might have been investigated as other crimes, including child prostitution. According to press reports, three women were convicted of child sex trafficking in January 2014; two were sentenced to eight years and nine months' imprisonment, while one trafficker was sentenced to 18 years and six months' imprisonment. In comparison, there were no reported trafficking convictions in 2013. Authorities provided some anti-trafficking training to hundreds of law enforcement, justice, immigration, and other government officials. The government reported the Ministry of Interior, Justice, and Peace's organized crime office (ONDOFT) worked with the women's ministry to train 520 government officials in Nueva Esparta state on human trafficking in the judicial system, including prosecutors and justice officials in 2014. Authorities did not report cooperating with foreign governments on trafficking investigations during the year. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking.

## PROTECTION

Authorities provided limited information about trafficking victim identification and assistance in 2014, but appeared to maintain minimal victim protection efforts. The government did not provide sufficient information to ensure data on trafficking victim identification did not include individuals involved in human

smuggling. The government issued a statement reporting ONDOFT assisted eight potential labor trafficking victims from Bangladesh in 2014. This statement also reported ONDOFT assisted 36 trafficking victims in 2013. Of these victims, 16 were reportedly exploited in sex trafficking and 20 in labor trafficking; 17 were Venezuelan citizens, while other victims were from Ethiopia, Ecuador, the Philippines, Somalia, and Bangladesh. Previously, the government had not reported how many trafficking victims it had identified or assisted annually since 2011. The government did not specify the kinds of assistance provided to the victims in 2013 or 2014. An Ethiopian victim of domestic servitude was repatriated in 2014 with funding from an international organization. Some child sex trafficking victims identified in law enforcement operations during the year did not appear to be included in ONDOFT victim identification statistics. The government did not report on the existence of formal procedures for identifying trafficking victims among vulnerable populations, including people in prostitution, and referring them to victim services. Victim referrals to different government entities, including ONDOFT and the women's ministry, seemed to occur on an *ad hoc* basis.

Victim services remained limited. There were no specialized shelters for trafficking victims in the country. Victims could reportedly access government centers for victims of domestic violence or at-risk youth, though services for male victims were virtually nonexistent. NGOs provided some specialized services to victims of sex trafficking and forced child labor. The government reportedly made psychological and medical examinations available to all victims of violent crime, including trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—remained lacking. Trinbagonian officials reported coordinating with Venezuelan officials regarding services and repatriation for three Venezuelan victims of sex trafficking exploited in Trinidad and Tobago. There were no publicly available reports of government assistance to repatriated Venezuelan trafficking victims during the reporting period. There was no information made publicly available about whether the government encouraged victims to assist in the investigation and prosecution of traffickers. There were no publicly available reports of victims in Venezuela being jailed or penalized for unlawful acts committed as a direct result of being subjected to trafficking, and NGOs and international organizations reported this did not generally occur. Foreign victims who faced retribution if returned to their country of origin could apply for refugee status, but it was unclear if any victims did so in 2014.

## PREVENTION

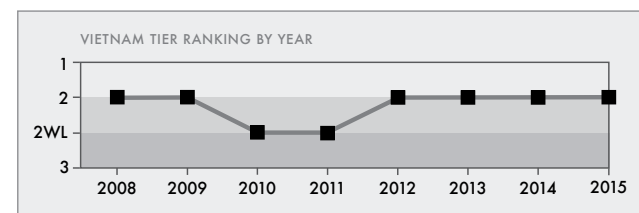
The Venezuelan government conducted limited efforts to prevent human trafficking during 2014, similar to the previous year. No permanent anti-trafficking interagency body existed, and the government did not have an anti-trafficking plan or strategy. ONDOFT was responsible for coordinating government anti-trafficking efforts but ceased social media activity raising awareness on human trafficking as of April 2014. Authorities continued some awareness efforts, including a public service announcement and distribution of anti-trafficking posters and pamphlets, most of which focused on sex trafficking of women and girls. There were no publicly available reports of new investigations, prosecutions, or convictions for child sex tourism offenses in 2014. The government did not provide anti-trafficking training or guidance for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts during the year.

## VIETNAM: Tier 2

Vietnam is a source country for men, women, and children subjected to sex trafficking and forced labor within the country and abroad. Vietnamese men and women migrate abroad for work independently or through state-owned, private, or joint-stock labor export recruitment companies. Some are subsequently subjected to forced labor in the construction, fishing, agricultural, mining, logging, and manufacturing sectors, primarily in Taiwan, Malaysia, South Korea, Laos, the United Arab Emirates, and Japan. Vietnamese women and children are subjected to sex trafficking abroad; many are misled by fraudulent labor opportunities and sold to brothel operators on the borders of China, Cambodia, and Laos, while others are subjected to sex trafficking in Thailand and Malaysia. Some Vietnamese women who travel abroad for internationally brokered marriages, mostly to China and increasingly Malaysia, are subsequently subjected to domestic servitude or forced prostitution. Debt bondage, passport confiscation, and threats of deportation are tactics commonly used to compel Vietnamese victims into servitude. An increasingly reported tactic is men using the internet to lure young women and girls into online dating relationships and persuading them to move abroad where they are subjected to forced labor or sex trafficking. Victims are often recruited by relatives or acquaintances, often with the knowledge, consent, or urging of close family members. Vietnamese organized crime networks recruit and transport Vietnamese nationals, especially children, to Europe—particularly the United Kingdom and Ireland—and subject them to forced labor on cannabis farms; they are lured with promises of lucrative jobs and compelled into servitude through debt bondage. Vietnam's labor export companies—many affiliated with state-owned enterprises—sometimes charge fees in excess of the law for work abroad, leaving workers with exorbitant debts and vulnerable to forced labor and debt bondage. Upon arrival in destination countries, some workers find themselves compelled to work in substandard conditions for little or no pay, with large debts and no credible avenues of legal recourse. Recruitment companies are sometimes unresponsive to workers' requests for assistance in situations of exploitation.

Within the country, Vietnamese men, women, and children are subjected to forced labor. NGOs report street children and children with disabilities are particularly vulnerable. Children are subjected to forced street hawking and forced begging in major urban centers of Vietnam. Some children are victims of forced and bonded labor in informal garment and brick factories or urban family homes and privately run rural gold mines. Children, many from rural areas, are subjected to sex trafficking. Vietnam is a destination country for child sex tourism, with perpetrators reportedly coming from Asia, the United Kingdom, Australia, Europe, and the United States. The government implemented a new legal provision in 2014 that requires a judicial proceeding before a drug user is sent to a compulsory drug detoxification center and restricted the number of hours a detainee can work to no more than three hours per day. During the reporting year, some drugs users serving administrative sentences under the previous legal provision remained in the detoxification centers and were subjected to forced labor. NGOs report trafficking-related corruption occurs, primarily at the local level, where complicit officials at border crossings and checkpoints accept bribes from traffickers and opt not to intervene on victims' behalf when family relationships exist between traffickers and victims.

The Government of Vietnam does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Vietnamese authorities continued to prosecute and convict internal and transnational sex traffickers, but did not pursue criminal prosecutions for labor traffickers exploiting victims transnationally or within Vietnam. The government reported an increased number of officials received anti-trafficking training; however, many officials were unable to identify and investigate labor trafficking cases, resulting in a failure to identify victims and to pursue criminal investigations in 2014. Often, government responses to overseas workers facing debt bondage or forced labor situations were inconsistent and inadequate. However, government officials abroad assisted with the return of trafficking victims in 2014 and worked with NGOs to help repatriate victims from China and Malaysia. NGOs report border officials in high-risk trafficking areas increased their engagement to investigate trafficking cases, but official complicity remained an impediment to anti-trafficking efforts in Vietnam.



### RECOMMENDATIONS FOR VIETNAM:

Using provisions of the 2012 anti-trafficking law, vigorously prosecute all forms of trafficking and convict and punish traffickers, especially in cases involving forced labor or complicit officials; ensure draft anti-trafficking amendments to the penal code allow for criminal prosecutions of labor traffickers; actively monitor labor recruitment companies and enforce regulations that prohibit the imposition of excessive recruitment fees; increase training for officials on the anti-trafficking law, with a specific focus on identifying and investigating cases of forced labor and internal trafficking cases; cease the practice of subjecting Vietnamese drug users to forced labor in government-run drug rehabilitation centers; implement policies for the proactive identification and provision of assistance to victims among vulnerable groups, such as migrant workers, individuals in prostitution, and child laborers, and train relevant officials in the use of such procedures; provide training for consular officials on worker rights and international labor standards; support efforts of international organizations or other stakeholders to research and report on trafficking trends in Vietnam, including the public release of findings; improve data collection and disseminate at the national level on all forms of trafficking; improve interagency cooperation on anti-trafficking efforts in order to effectively implement the national plan of action; develop programs that reduce stigma and promote reintegration of trafficking returnees; and implement anti-trafficking campaigns directed at those who solicit adults and children in the sex trade.

### PROSECUTION

The government sustained law enforcement efforts to combat trafficking. Vietnam's 2012 anti-trafficking law expanded on Articles 119 and 120 of the country's penal code to specifically define and criminalize sex and labor trafficking, although it was unclear if the law prohibited all forms of trafficking. Based on severity of the crime, these articles prescribe punishments ranging from two

to 20 years' and three to 25 years' imprisonment, respectively, which are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape, and also impose fines on traffickers ranging between five and 50 million Vietnamese dong (\$240-\$2,350). In 2014, the government launched a nationwide computer database to track trafficking cases; however, inconsistencies in data collected on anti-trafficking law enforcement and victim identification data persisted.

In 2014, the government arrested 685 suspected traffickers, of which it prosecuted 472 (346 under Article 119 and 126 under Article 120) and convicted 413, with sentences ranging mostly from three to 15 years' imprisonment, a slight decrease from the 420 offenders convicted in 2013. Authorities did not report how many cases involved sex or labor trafficking or how many were for internal or transnational trafficking. Although the 2012 anti-trafficking amendments provide a criminal law basis to prosecute these crimes, officials primarily pursued labor trafficking cases as administrative violations under the country's labor laws, which do not provide criminal penalties. Officials continued to participate in joint investigations and rescue operations in China, Cambodia, and Laos. A lack of coordination across provincial agencies impeded overall law enforcement progress in Vietnam, and officials sometimes did not pursue trafficking investigations due to provincial budgetary constraints. Contract disputes between workers and labor recruitment companies—for fraudulent recruitment and conditions indicative of forced labor—were left largely to companies to resolve. Although workers had the legal right to take cases to court, few had the resources to do so. The government reported an increased number of officials received anti-trafficking training. The Ministry of Public Security conducted 40 interagency trainings for 1,000 officials on anti-trafficking investigations. However, local officials had difficulties applying anti-trafficking legislation. Although trafficking-related corruption continues to occur, the government did not report any investigations, prosecutions, or convictions of officials complicit in human trafficking offenses.

## PROTECTION

The government demonstrated modest efforts to protect victims. In 2014, authorities identified 1,031 potential trafficking victims but did not report how many were exploited in sex or labor trafficking, how many were adults or children, or how many were exploited in Vietnam or abroad. In comparison, authorities certified 982 trafficking victims in 2013. Victim identification and referral mechanisms remained weak throughout the country. The government had a formal procedure for victim identification, but it did not proactively employ it to identify victims among vulnerable groups, such as women arrested for prostitution, migrant workers returning from abroad, and child laborers. It also did not systematically refer victims to protective services due to inadequacies that persisted in its formal referral process. Officials continued to conflate trafficking with smuggling, which precluded the identification of victims who voluntarily migrated abroad.

In 2014, the Ministry of Labor, Invalids, and Social Affairs (MOLISA) provided protection and reintegration support to 668 trafficking victims, of which the government repatriated over half. Protection services varied by location but generally included legal aid, counseling, shelter, vocational training, healthcare, and financial allowances. Authorities did not report the number of victims who used the one-time government cash subsidy—up to one million dong (\$50). MOLISA's social protection centers, which provided

services to a wide range of vulnerable groups, sometimes housed trafficking victims; these centers are often underfunded and lack appropriately trained personnel to assist victims. The Vietnam Women's Union, in partnership with NGOs and with foreign donor funding, continued to operate three shelters in urban areas, one of which was trafficking-specific. Vietnam had no shelters or services specifically for assisting male or child victims and none devoted specifically to victims of labor trafficking. Vietnam maintained labor attachés at their embassies in nine countries receiving large numbers of documented Vietnamese migrant workers; however, reports allege some Vietnamese diplomatic personnel lacked sufficient training to adequately assist victims. Vietnam lacked diplomatic representation or bilateral agreements with some countries where Vietnamese citizens were subjected to trafficking, inhibiting victims' access to government assistance and impeding the government's protection efforts. In some repatriation cases, Vietnamese diplomatic missions provided basic provisions, transportation, and healthcare to Vietnamese victims subjected to trafficking abroad. The government reportedly encouraged trafficking victims to assist in judicial proceedings against traffickers and offered some protection and compensation to victims, yet victims expressed trepidation to use them given the endemic social stigma attached to being a victim, fear of retribution in their local communities, and fear of punishment for illegal acts committed in the course of being subjected to trafficking. Vietnamese law protects victims from being prosecuted for actions taken as a consequence of being subjected to trafficking; however, officials are not properly trained in identification of trafficking victims, which may have led to the treatment of some victims as criminals. The government did not offer foreign victims legal alternatives to their removal to countries where they faced retribution or hardship.

## PREVENTION

The government maintained efforts to prevent trafficking. During the latter part of 2014 and early 2015, the government commenced initial planning of a new four-year (2016-2020) national anti-trafficking action plan by developing future anti-trafficking priorities, though it did not include a specific budgetary allotment for its implementation. The government shared limited information on trafficking statistics and anti-trafficking operations with the international community, but the lack of accurate reporting on labor trafficking stymied anti-trafficking progress in the country. In 2014, officials supported anti-trafficking awareness campaigns by partnering with national and local media outlets to conduct radio and television stories and publish news articles on trafficking. It hosted community dialogues on vulnerabilities to labor trafficking. The government fined or suspended the licenses of approximately 40 recruitment companies and suspended the licenses of five companies for collecting excess fees or withholding payments to workers. The minimum and maximum pre-departure fee and deposit system for Vietnamese migrant workers—ranging from 6.50-65.0 million dong (\$300-\$3,000)—could have decreased the debt burden experienced by some workers if enforced; however, this scheme could have also increased overseas workers' vulnerability to debt bondage. The government made some efforts to reduce the demand for commercial sex acts or forced labor. Throughout the reporting period, the government led raids at brothel and unscrupulous massage parlors, and it administered fines and suspended the licenses of some companies that used forced labor. It provided anti-trafficking training or guidance for its diplomatic personnel.

## YEMEN: Tier 3

Yemen is a country of origin and, to a lesser extent, transit and destination, for men, women, and children subjected to forced labor, and women and children subjected to sex trafficking. Yemen's deteriorating security situation, weakened rule of law, and deepening poverty in 2014 increased trafficking activities. As a result of Houthi expansion and eventual seizure of government institutions in late 2014, the number of child soldiers utilized by armed groups greatly increased. Checkpoints operated by Houthi militias and government forces are often manned by armed boys who appear to be as young as 10 years old. Some Yemeni children, mostly boys, migrate to the cities of Aden and Sana'a or to Saudi Arabia and, to a lesser extent, Oman—where they are subjected to forced labor in domestic service, small shops, or as beggars. Some of these children are forced into prostitution by traffickers, security officials, and their employers upon arrival in Saudi Arabia, while others are forced to smuggle drugs into Saudi Arabia.

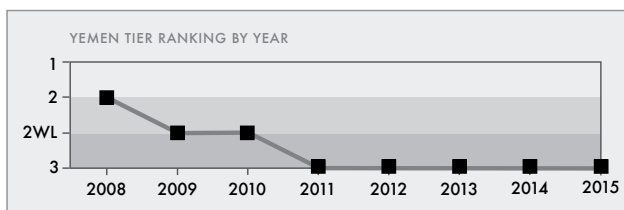
During the reporting period, an international organization reported that a total of 344,348 Yemeni migrant workers were deported from Saudi Arabia and returned to Yemen through the al-Tuwail and al-Buq border crossings. The majority of deportees returned to the Tihamah region located on the west coast of Yemen, among the poorest regions of the country. Many of the deportees remain displaced, without access to food, shelter, or medical services, leaving these individuals highly vulnerable to exploitation, including human trafficking. Thousands of Syrian refugees, who have relocated to Yemen to escape the protracted fighting in their home country, similarly are at risk of being subjected to human trafficking. The Yemeni government and international NGOs estimate there are approximately 1.7 million child laborers under the age of 14 in Yemen, some of whom are subjected to forced labor. Yemeni children are subjected to sex trafficking within the country and in Saudi Arabia. Girls as young as 15 years old are exploited for commercial sex in hotels and clubs in the Governorates of Sana'a, Aden, and Taiz. The majority of child sex tourists in Yemen are from Saudi Arabia, with a smaller number possibly originating from other Gulf nations. Some Saudi men used legally contracted "temporary marriages" for the purpose of sexually exploiting Yemeni girls—some reportedly as young as 10 years old, and some of whom are later abandoned on the streets of Saudi Arabia. Civil society organizations report that, as a result of the dire economic situation in Yemen, particularly in the north, sex trafficking of Yemeni children increased over the past several years. In addition, some sources report the practice of chattel slavery continues in Yemen. While no official statistics exist detailing this practice, a 2014 study by a human rights organization documented 190 cases of slavery in three directorates of Hajjah governorate. Other sources also report there could be several hundred other men, women, and children sold or inherited as slaves in al-Hodeida and al-Mahwit governorates.

Yemen's political and economic crises, cultural acceptance of child soldiering, weak law enforcement mechanisms and limited political will severely limited the country's capacity to end the use of child soldiers. Despite a 1991 law requiring members of the armed forces to be at least 18 years of age and a May 2014 UN action plan to prevent recruitment of children into its armed forces, credible reports indicated children under 18 joined the official government armed forces and tribal militias throughout the country. Furthermore, following the Houthi takeover of the Yemeni government in September 2014, the number of child

soldiers recruited by militias accelerated. During the reporting period, underage recruits with weapons were frequently seen manning checkpoints in and around Sana'a. Various militias and popular committees used boys between the ages of 13 and 17 years to guard checkpoints, and NGOs reported children were recruited by Houthi, southern tribal, and Salafi forces. Al-Qa'ida in the Arabian Peninsula recruited boys for combat operations against military and security forces. Some families supportive of Houthi rebels, including those residing in locations outside Houthi control, had previously sent their children to the Houthi stronghold of Sa'ada in northwestern Yemen for arms training by the Houthis to serve in their militias.

Yemen is also a transit and destination country for women and children, primarily from the Horn of Africa, for sex trafficking and forced labor. In 2014, 91,000 migrants from the Horn of Africa landed on the shores of Yemen, and an estimated 20 percent of these arrivals are believed to be unaccompanied children. Ethiopian and Somali women and children travel voluntarily to Yemen with the hope of working in other Gulf countries, but some are subjected to sex trafficking or domestic servitude in Yemen. Others migrate based on fraudulent offers of employment as domestic servants in Yemen, but upon arrival are subjected to sex trafficking or forced labor. Some female refugees are forced into prostitution in Aden and Lahj governorates. Yemeni and Saudi gangs transport African children to Saudi Arabia for the purpose of exploitation. Some refugees and migrants from the Horn of Africa who voluntarily transit Yemen en route to Saudi Arabia and other Gulf countries are abandoned in Yemen and abused by traffickers. There are a large number of Syrian refugees in Yemen, with an estimated 12,000 present at the end of 2014. Syrian refugee women and children begging in the streets in Yemen are highly vulnerable to forced labor and sex trafficking.

The Government of Yemen does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. The government did not provide law enforcement data on its anti-trafficking efforts, nor did it investigate or prosecute government officials complicit in trafficking crimes. The government did not institute formal procedures to identify trafficking victims, nor did it provide protection services to victims. However, the government continued its work with an international organization and NGOs to facilitate the repatriation of thousands of Ethiopian migrants, some of whom were trafficking victims. The government signed a UN action plan to end the use of child soldiers; however, it did not make efforts to effectively implement the plan due to limited capacity and an ongoing civil conflict. The government continued to face serious challenges, which severely impeded its efforts to combat trafficking, including weak government institutions, systemic corruption, economic problems, substantial internal security threats, limited control of much of the countryside, and poor law enforcement capabilities.



### RECOMMENDATIONS FOR YEMEN:

Enact and implement anti-trafficking legislation prohibiting all forms of trafficking; significantly increase law enforcement efforts



against sex and labor trafficking of women, men, and children; make greater efforts to stop the recruitment and use of child soldiers and provide protection and rehabilitation services to demobilized children; take measures to investigate and eradicate the practice of chattel slavery in Yemen; institute a formal victim identification mechanism to identify and refer trafficking victims to protection services; provide adequate protection, including shelter, to all victims of trafficking; investigate and prosecute government employees complicit in trafficking offenses; continue to work with international organizations and NGOs to identify and provide protection to trafficking victims; ensure trafficking victims are not punished for acts committed as a direct result of being subjected to human trafficking, such as immigration or prostitution violations; implement educational and public awareness campaigns on trafficking, including those discouraging the recruitment and use of child soldiers; adopt and dedicate resources to the national plan of action to combat trafficking; and accede to the 2000 UN TIP Protocol.

## PROSECUTION

The government made minimal discernible law enforcement efforts against human trafficking. The absence of a law criminalizing all forms of trafficking, as well as the government's continued conflation of trafficking and smuggling, impeded efforts to investigate and prosecute trafficking offenders. Article 248 of Yemen's penal code prescribes up to 10 years' imprisonment for any person who "buys, sells, or gives [a human being] as a present, or deals in human beings; and anyone who brings into the country or exports from it a human being with the intent of taking advantage of him." This statute's prescribed penalty is commensurate with penalties prescribed for other serious crimes, such as rape; however, its narrow focus on transactions and movement means many forms of sex trafficking and forced labor are not criminalized. Article 161 of the Child Rights Law criminalizes the prostitution of children. The government's inter-ministerial National Technical Committee to Combat Human Trafficking drafted anti-trafficking legislation with the assistance of an international organization; however, the status of this draft legislation remained unknown following the dissolution of the government in January 2015.

The government did not report efforts to prosecute, convict, or punish trafficking offenses during the year. The government made no known efforts to investigate or punish the practice of chattel slavery. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses, despite allegations that local government and security officials willfully ignored trafficking crimes taking place in their areas of responsibility. In addition, officials continued to use children in the governmental armed forces.

## PROTECTION

The government made few discernible efforts to protect trafficking victims. The government failed to proactively identify and provide adequate protection services to trafficking victims among vulnerable groups, such as women in prostitution and foreign migrants. As a result, the government did not ensure trafficking victims were not inappropriately incarcerated, fined, or otherwise penalized for unlawful acts committed as a direct result of being subjected to human trafficking, such as prostitution or immigration violations. In 2014, the Ministry of Interior's (MOI) Women and Children Unit produced formal standard operating procedures to guide officials in proactive identification of trafficking victims among high-risk persons with whom they come in contact; it is unclear,

however, if authorities implemented and received training on these procedures during the year. The government did not identify or provide adequate protection services to trafficking victims, but it coordinated with NGOs, an international organization, and the Ethiopian government to repatriate a reported 2,162 Ethiopians in 2014, an unspecified number of whom were trafficking victims. Although these victims were housed in the MOI detention center in Sana'a while awaiting repatriation, they were allowed to enter and exit the center at will. The government did not encourage victims to assist in investigations or prosecutions of their traffickers. The government did not provide assistance to its nationals repatriated after enduring trafficking abroad. While the government acknowledged the use of child soldiers and signed a UN action plan to end the practice in May 2014, it did not make efforts to release child soldiers from the military and provide them with protective or rehabilitation services, failing to implement its September 2013 action plan calling for such efforts.

## PREVENTION

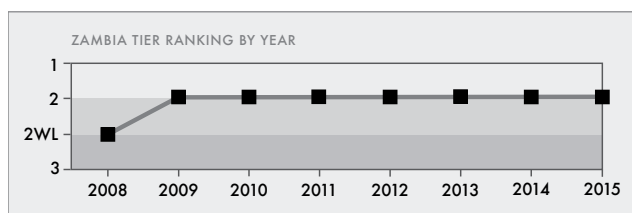
The government made limited efforts to prevent trafficking. The Ministry of Human Rights, in coordination with an international organization, drafted—but did not finalize—a national strategy to combat trafficking. The draft included plans for raising awareness, increasing cooperation between Yemen and neighboring countries, training officials in victim identification, and instituting procedures to protect and provide assistance to victims; however, the status of this national strategy remained unknown at the end of the reporting period. In an effort to reduce a form of sex tourism in which foreigners, particularly Saudis and Emiratis, "temporarily" marry young Yemeni women, the government enacted a regulation requiring MOI approval for Yemenis to marry foreigners; however, in exchange for bribes, officials continued to provide such approval. The government did not provide anti-trafficking training to its diplomatic personnel. The government did not make efforts to reduce the demand for commercial sex acts, forced labor, nor address the problem of child sex tourism. The government did not provide anti-trafficking training to troops prior to their deployment abroad as part of international peacekeeping missions. Yemen is not a party to the 2000 UN TIP Protocol.

## ZAMBIA: Tier 2

Zambia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Most trafficking occurs within the country's borders and involves women and children from rural areas exploited in cities in domestic servitude or other types of forced labor in agriculture, textile, mining, construction, small businesses such as bakeries, and forced begging. Zambian children may be forced by *jerabo* gangs engaged in illegal mining to load stolen copper ore onto trucks in Copperbelt Province. While orphans and street children are most vulnerable, children of affluent village families are also at risk of trafficking because sending children to the city for work is perceived to confer status. Zambian boys and girls are exploited in sex trafficking by truck drivers in towns along the Zimbabwean and Tanzanian borders and by miners in the mining town of Solwezi. Zambian boys are subjected to sex trafficking in Zimbabwe and women and girls are subjected to sex trafficking in South Africa. Domestically, extended families and trusted family acquaintances continued to facilitate trafficking.

Women and children from neighboring countries are exploited in forced labor or sex trafficking after arrival in Zambia. Nationals from South and East Asia are exploited in forced labor in textile factories, bakeries, and Chinese-owned mines. Chinese traffickers brought in Chinese women and underage girls for sexual exploitation in brothels and massage parlors in Lusaka; traffickers used front companies posing as travel agencies to lure Chinese victims and coordinated with Zambian facilitators and middlemen. The transnational labor trafficking of Southeast Asians through Zambia for forced labor in construction in South Africa continued and was linked to criminal groups based there.

The Government of Zambia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government held the fourth national symposium on trafficking in persons to encourage national collaboration and raise awareness. It enhanced its victim identification methods by developing and launching protection tools to assist officials and service providers in screening for victims among vulnerable populations. However, the government's inability to report the number of victims identified and assisted in 2014 and the drop in its efforts to increase the availability of shelter options, in addition to the significant reduction of its anti-trafficking budget, raise serious concerns about the government's political will and capacity to provide adequate services to human trafficking victims. While the government investigated cases involving a small number of victims from neighboring countries, it failed to criminally investigate more organized trafficking operations involving foreign companies and did not seriously address internal trafficking, including child domestic servitude.



## RECOMMENDATIONS FOR ZAMBIA:

Implement the 2008 anti-trafficking act by ensuring use of a broad definition of trafficking that does not rely on evidence of movement, but rather focuses on exploitation, consistent with the 2000 UN TIP Protocol; amend the trafficking law so that force, fraud, or coercion are not required for cases involving children under the age of 18 to be considered sex trafficking crimes; increase anti-trafficking funding and continue to improve government services for victims through the establishment of additional shelters; investigate and prosecute internal trafficking cases involving both children and adults in prostitution and forced labor; continue to train police, immigration officials, prosecutors, and judges on investigating and prosecuting trafficking crimes; increase the number of labor inspectors and ensure they are trained on trafficking indicators; formalize and implement victim identification and referral procedures; improve coordination among service providers to prevent detention of male victims and facilitate their placement in shelters; actively use the new database to compile information on trafficking cases and trends for use by all stakeholders; and continue to conduct public awareness campaigns.

## PROSECUTION

The government maintained anti-trafficking law enforcement efforts, initiating four prosecutions in 2014, compared to three prosecutions in 2013. The anti-trafficking act of 2008 criminalizes some forms of trafficking; although contrary to international law, it requires the use of threat, force, intimidation, or other forms of coercion for a child to be considered a sex trafficking victim. The act prescribes penalties ranging from 20 years' to life imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape.

The government investigated five potential trafficking cases, initiated prosecution of four of these cases, and convicted one defendant of trafficking. The government convicted a Zambian woman for exploiting seven Congolese children in forced labor; sentencing remained pending in the High Court. A majority of the trafficking cases investigated involved cross-border trafficking of women and children for labor and sexual exploitation; the government failed to investigate internal cases involving Zambian children in prostitution and domestic servitude or forced labor in the Zambian mining and agricultural sectors. In one case pending from the previous reporting period, the government did not obtain a conviction of a suspected recruiter and trafficker for their alleged enslavement of a Zambian girl in domestic servitude. Generally, criminal investigations into forced child labor offenses or cases in which victims were not moved across borders were rare; the Ministry of Labor and Social Security (MLSS) Child Labor Unit cited mediation with parents as the usual process for handling child labor cases. The government remained limited in its capacity to adequately monitor the mining and agricultural sectors and failed to criminally investigate or prosecute companies responsible for labor trafficking in these sectors; allegations of large or foreign companies and foreign governments exerting influence over officials remained a concern. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses.

Training covering the 2008 anti-trafficking act was included in all law enforcement courses at the police academy, as were investigation techniques and procedures to identify and protect victims. The government continued use of its database to track trafficking case data, and in 2014 it expanded the piloted program to include additional police stations. The government increased its partnerships in the region by initiating routine coordination of anti-trafficking efforts with Zimbabwe and South Africa during the reporting period.

## PROTECTION

The government decreased efforts to protect victims and did not increase its capacity to more aptly do so. It continued to rely on international organizations and local NGOs to provide the majority of victim care, with only modest in-kind support and acknowledged a shortage of shelters in the country, particularly for male victims. The government allocated 570,000 kwacha (\$89,400) for its anti-trafficking budget, a significant decrease from the previous year's budget of 1,358,700 kwacha (\$213,000). The government was unable to report the number of victims identified due to the lack of a shared database and adequate coordination among service providers; however, international organizations identified 11 victims of labor exploitation, two victims of sexual exploitation, and two victims of both labor and sexual exploitation.

The government, in cooperation with international partners, developed and launched a series of protection tools to assist officials and service providers in identification of trafficking victims among vulnerable populations, such as migrants and unaccompanied minors. However, without data on its efforts to identify and refer victims during the year, it is unclear how these new procedures were implemented. The government reportedly continued use of its national referral mechanism, while the Ministry of Community Development, Mother and Child Health (MCDMCH) oversaw the placement of victims in NGO shelters and continued to provide in-kind assistance. Government officials, in partnership with international organizations, offered routine assistance to victims, including medical care, counseling, court preparation, repatriation or regularization of immigration status; however, it was unclear how many victims benefited from these services during the year. The government offered legal alternatives to the removal of victims to countries where they may face hardship or retribution; however, it is unclear how many victims received such assistance in 2014.

Zambia's Minimum Standard Guidelines on Protection of Victims of Trafficking outline minimum requirements for victim care, to include establishment and upgrade of existing shelters. While the government made vigorous efforts to increase the availability of shelter options in previous years, government agencies and NGOs reported a lack of resources to establish or upgrade additional shelters in 2014. The MCDMCH continued to oversee a 40-person shelter opened in 2012 in Luapula province, in addition to two NGO shelters which remained in operation. MCDMCH's construction of a new shelter in Kapiri Mposhi, a key transit point on the border with Tanzania, which was planned to start in 2013, remained incomplete. NGO shelters did not provide accommodation for male victims over the age of 12. As a result of the lack of shelter availability and resources, it was not uncommon to house victims, even children, in jail for short periods of time.

## PREVENTION

The government maintained efforts to prevent trafficking. In June 2014, it hosted the fourth National Symposium on Human Trafficking, focused on protecting migrants from trafficking and exploitation, bringing together government and other stakeholders to discuss allocation of resources, capacity of law enforcement, victim identification, and fast-tracking of human trafficking cases involving migrants. The government reported continued work on its 2012-2015 national action plan to combat trafficking, in partnership with NGOs and international organizations. The national secretariat and an inter-ministerial committee continued to oversee national anti-trafficking efforts; however, neither was able to meet outside of the symposium during the reporting period—limiting its effective oversight of efforts during the year. The 2014 national budget included allocation of funds for MCDMCH and MLSS to conduct trafficking awareness-raising campaigns organized in 14 targeted districts with an observed increase in suspected or reported trafficking cases.

During the year, MLSS employed 58 labor officers, a decrease from 108 in the previous reporting period; new officers did not receive anti-trafficking training. MLSS officials regulated fees paid by workers to recruitment agencies to screen for exploitative labor recruitment practices. MLSS, in conjunction with international organizations, conducted training for domestic worker recruitment agencies and domestic employee centers to assist the agencies in detecting trafficking situations and ensuring workers were aware

of their rights. In the previous reporting period, the government began a review of the Employment Act to determine how to best address potential abuses in the informal sector that are not adequately covered under the current law, including domestic service; however, the review and its amendments remained incomplete. The government conducted multiple raids to remove individuals facilitating prostitution or purchasing services to reduce the demand for commercial sex; however, it did not make efforts to reduce the demand for forced labor. Zambian peacekeepers received anti-trafficking training on how to identify and protect potential trafficking victims. The government did not provide anti-trafficking training or guidance for its diplomatic personnel.

## ZIMBABWE: Tier 3

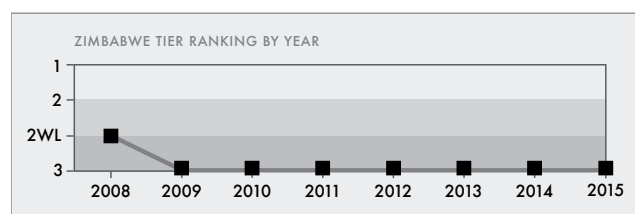
Zimbabwe is a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor. Women and girls from Zimbabwean towns bordering South Africa, Mozambique, and Zambia are subjected to forced labor, including domestic servitude, and sex trafficking in brothels catering to long-distance truck drivers on both sides of the borders. Zimbabwean men, women, and children are subjected to forced labor in agriculture and domestic service in the country's rural areas, as well as domestic servitude and sex trafficking in cities and towns. Family members recruit children and other relatives from rural areas for work in cities where they are subjected to domestic servitude or other forms of forced labor; some children, particularly orphans, are lured with promises of education or adoption. Children are forced to labor in the agricultural and mining sectors or to carry out illegal activities, including drug smuggling. Additionally, the practice of *ngozi*, giving a family member to another family to avenge the spirits of a murdered relative, creates a vulnerability to trafficking.

Zimbabwean men, women, and children migrate to South Africa, where some are forced to labor for months, often seasonally, on farms, at construction sites, in factories, or in mines without pay. Many Zimbabwean women and some children willingly migrate to South Africa, often with the assistance of taxi drivers who transport them to the border at Beitbridge or nearby. Some of the migrants are transferred to criminal gangs that subject them to abuse, including forced prostitution in Musina, Pretoria, Johannesburg, or Durban. Zimbabwean women and men are lured into exploitative labor situations in agriculture, construction, information technology, and hospitality largely in neighboring countries; some subsequently become victims of forced labor, and some women become victims of forced prostitution. Reports continue of trafficking cases involving Zimbabwean women lured to China under the pretense of professional and hospitality-sector jobs, some of whom are subjected to sex trafficking.

Men, women, and children predominantly from East Africa are transported through Zimbabwe *en route* to South Africa; some of these migrants are trafficking victims. Refugees from Somalia and the Democratic Republic of the Congo reportedly travel from Zimbabwe's Tongogara Refugee Camp to Harare, where they are exploited and, in some cases, forced into prostitution. Chinese nationals are reportedly forced to labor in restaurants in Zimbabwe. Chinese construction and mining companies reportedly employ practices indicative of forced labor, including verbal, physical, and sexual abuse, and various means of coercion to induce work in unsafe or otherwise undesirable conditions. There were increased

reports of children from Mozambique being subjected to forced labor, including in street vending.

The Government of Zimbabwe does not fully comply with the minimum standards for the elimination of trafficking and is not making significant efforts to do so. While the government passed the "Trafficking in Persons Act" in June 2014, it failed to ensure prohibitions under the law were consistent with the international definition of trafficking in persons under the 2000 UNTIP Protocol; rather, contrary to international law, the 2014 act serves in effect to prohibit transportation-based crimes. The government did not report any anti-trafficking law enforcement efforts during the reporting period. Official complicity in trafficking crimes remained a concern. The government made minimal efforts to protect trafficking victims, instead relying on NGOs to identify and assist victims. In January 2015, it established an inter-ministerial anti-trafficking committee; however, it did not report on any actions conducted by the committee during the year. In November 2014, the government participated in a national action planning workshop; however, it has yet to create a national action plan to combat human trafficking.



## RECOMMENDATIONS FOR ZIMBABWE:

Amend the 2014 anti-trafficking legislation to incorporate a definition of trafficking consistent with the 2000 UNTIP Protocol; increase efforts to investigate and prosecute trafficking offenses, including those allegedly involving officials; convict and punish trafficking offenders; formalize procedures for identifying victims and transferring them to the care of appropriate governmental or non-governmental service providers; train officials on victim identification and referral procedures and relevant legislation; provide financial or in-kind support to NGOs and international organizations offering victim services; develop and implement a national action plan to combat trafficking; incorporate trafficking crimes into police procedures for recording and reporting crime data; and continue to raise awareness of human trafficking and the availability of assistance for victims.

## PROSECUTION

The government demonstrated negligible anti-trafficking law enforcement efforts. In June 2014, the government passed its "Trafficking in Persons Act." Contrary to international law, which defines trafficking in persons as a crime of exploitation, the 2014 "Trafficking in Persons Act" defines trafficking in persons as essentially a crime of transportation. Therefore, the 2014 act fails to capture the key element of the international definition of trafficking in persons—the purpose of exploitation—generally defined as forced prostitution or other forms of forced labor. The 2014 act criminalizes the involuntarily transport of a person into, outside or within Zimbabwe—or voluntary transport for an unlawful purpose. The inaccurate definitions leave Zimbabwe without comprehensive prohibitions of trafficking crimes. Zimbabwe's Labor Relations Amendment Act prohibits forced labor and prescribes

punishments of up to two years' imprisonment; these penalties are not sufficiently stringent. The Criminal Law (Codification and Reform) Act prohibits procuring a person for unlawful sexual conduct, inside or outside of Zimbabwe, but prescribes less than stringent penalties of up to two years' imprisonment. The act also prohibits coercing or inducing anyone to engage in unlawful sexual conduct with another person by threat or intimidation, prescribing sufficiently stringent penalties of one to five years' imprisonment. Pledging a female for forced marriage or to compensate for the death of a relative or any debt or obligation is punishable under the act, with penalties of up to two years' imprisonment. None of these penalties are commensurate with penalties prescribed for other serious crimes, such as rape.

The government did not vigorously investigate, prosecute, or convict trafficking offenses. The Zimbabwe Republic Police's Victim Friendly Unit (VFU) has responsibility for investigating cases involving women and children and referring victims to support services; however, the VFU did not provide information on the number of trafficking investigations it conducted during the year. The government reported its acquittal in April 2014 of a woman charged with the fraudulent recruitment of 22 Zimbabwean women for employment as housemaids in Saudi Arabia.

Corruption in law enforcement and the judiciary remained a serious concern that impaired the effectiveness of anti-trafficking efforts. Victims reportedly refused to report or pursue cases of trafficking due to fear their traffickers could bribe police or judges. Anecdotal evidence indicated a limited government involvement in, and tolerance of, trafficking on a local level and at border crossings. The government did not report any investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses. In August 2014, in partnership with an international organization, the government provided anti-trafficking training for criminal justice practitioners. The Ministry of Labor and Social Security had a taskforce charged with investigating Chinese construction companies suspected of abusive employment practices—possibly including forced labor—and ensuring overall compliance with Zimbabwean labor law; however, it was unknown whether they took concrete action during the year.

## PROTECTION

The Zimbabwean government made inadequate efforts to protect trafficking victims, instead relying on NGOs and an international organization to identify and assist victims. The government did not report the total number of trafficking victims it identified or assisted during the reporting period. Law enforcement authorities did not employ procedures—such as formal written guidelines—to proactively identify victims or refer them to protection services. While the newly enacted "Trafficking in Persons Act" required the government to establish centers in each of Zimbabwe's 10 provinces, providing counseling, rehabilitation, and reintegration services for "trafficking victims," it remained unclear if child and adult victims of forced labor and sex trafficking would benefit from protections under the law, given its inaccurate definition of trafficking crimes; requiring executive action, these centers remained unestablished at the end of the reporting period. Five existing government-run shelters offered long-term accommodation to vulnerable and orphaned children, including an unknown number of potential child trafficking victims. Children had access to health services, counseling, and some educational services at these shelters. The government may have detained and deported potential trafficking victims due to a lack of proactive victim identification



procedures. The government did not provide foreign trafficking victims with temporary or permanent resident status or any other legal alternatives to their removal to countries where they might face retribution or hardship.

## PREVENTION

The government made minimal efforts to prevent trafficking. In January 2015, the government established an inter-ministerial anti-trafficking committee, under the leadership of the Ministry of Home Affairs; however, the committee remained without a designated chair and it was unclear whether the committee met or initiated anti-trafficking activities during the reporting period. While the government established a position in the president's office to focus on trafficking issues during the previous reporting period, it did not report on efforts made by this entity in 2014. In November 2014, officials participated in a national action planning workshop; however, the government remained without a national action plan to address trafficking in persons. In August 2014, at the Harare Agricultural Show, the government funded an anti-trafficking information booth, targeting potential trafficking victims and distributed anti-trafficking materials. The government did not provide anti-trafficking training or guidance to its diplomatic personnel. It did not make efforts to reduce the demand for commercial sex acts or forced labor.

## SPECIAL CASE: SOMALIA

Somalia remains a Special Case for the thirteenth consecutive year. During the reporting period, the Federal Government of Somalia (FGS) maintained control primarily of Mogadishu, but extended some influence outside the capital city through the federal state-formation process. The self-declared independent Republic of Somaliland and semi-autonomous Federal State of Puntland retained control of security and law enforcement in their respective regions. The Interim Juba Administration and the Interim South West Administration partially controlled their jurisdictions. The FGS focused on capacity-building and securing Mogadishu and government facilities from attacks by the terrorist organization al-Shabaab, which retained control of some towns and rural areas in southern and central Somalia. The African Union Mission in Somalia (AMISOM) conducted military operations in 2014 to recover additional al-Shabaab-controlled territory, pushing terrorist elements away from their last port and into a more compressed area centered on the Juba Valley. Military courts often adjudicated serious cases, including those related to terrorism, and tried many civilian cases. Due to capacity constraints, Somali authorities struggled to address human trafficking, thereby yielding minimal results in prosecution, protection, and prevention efforts in all regions. In addition, officials across Somalia lacked an understanding of trafficking crimes, which they often conflated with smuggling.

## SCOPE AND MAGNITUDE:

Somalia is a source, transit, and destination country for men, women, and children subjected to forced labor and sex trafficking. Information regarding trafficking in Somalia remains extremely difficult to obtain or verify. Victims are primarily trafficked within the country from Somalia's southern and central regions to the regions of Puntland and Somaliland in the north. In Somaliland, women act as recruiters and intermediaries to take victims to

Puntland, Djibouti, and Ethiopia for domestic servitude or sex trafficking. Despite the decline of piracy in 2014, reports indicate these criminal groups continue to subject Somali women and girls to domestic service and sexual servitude as alternative income sources. In Somali society, Somali ethnic Bantus and Midgaan remain marginalized and sometimes kept in servitude by more powerful Somali clan members as domestic workers, farm laborers, and herders. Due to poverty and an inability to provide care for all family members, some Somalis willingly surrender custody of their children to people with whom they share familial ties and clan linkages; some of these children may become victims of forced labor or sex trafficking. Most child laborers work within their own households or family businesses. Children may be forced into labor in agriculture, domestic work, herding livestock, selling or portering *khat* (a mild narcotic), crushing stones, or in the construction industry.

During the reporting period, an international NGO released a report documenting cases of sexual abuse and exploitation of Somali women and girls, including trafficking victims, by Ugandan and Burundian AMISOM personnel. An African Union investigation into the allegations concluded there was evidence of the existence of sexual exploitation and abuse by AMISOM personnel.

Internally displaced persons (IDPs) remain vulnerable to trafficking for sex and labor. "Gatekeepers" in control of some IDP camps, at times allegedly in collusion with Somali officials, reportedly force girls and women to provide sex acts in exchange for food and services available within the camps. They continue to charge rent or fees for otherwise-free basic services and sell the area they control within a camp to other "gatekeepers," establishing a cycle of debt for IDPs that makes them vulnerable to inherited bondage. Traffickers and smugglers reportedly prey on women and children, mostly IDPs from southern and central Somalia already vulnerable to trafficking, at times using false promises of lucrative jobs in Europe and North America.

Traffickers transport Somali women, sometimes via Djibouti, to the Middle East, particularly Yemen and Syria, where they frequently endure domestic servitude or forced prostitution. Somali men experience conditions of forced labor as herders and workers in the Gulf States. Traffickers transport children to Saudi Arabia through Yemen and force them to beg on the streets. Dubious employment agencies facilitate human trafficking by targeting individuals desiring to migrate to the Gulf States or Europe for employment. Federal government officials allegedly sell falsified travel documents to travel brokers and traffickers. NGOs and international organizations report Somalis increasingly seek to move to other African destinations, including Kenya and South Africa. Authorities in Somaliland report an increase in the transporting or kidnapping of children and unemployed university graduates, who later move through Ethiopia and Sudan and perhaps are held hostage by networks in Libya en route to Europe and other destinations in the Middle East. Members of the Somali diaspora use false offers of marriage to lure unsuspecting victims, many of whom include relatives, to Europe or the United States, where they force them into prostitution and domestic servitude.

Traffickers reportedly subject Somali children fleeing al-Shabaab and seeking refuge in Kenya to forced labor or sexual exploitation. Trucks transporting goods from Kenya to Somalia return to Kenya with young girls and women; traffickers acquire these young girls and women and place them in brothels in Nairobi or Mombasa or send them to destinations outside Kenya. Somali traffickers known

as “*makhalis*” control the networks, but truck drivers also exploit these girls in prostitution. The estimated 20,000 undocumented Ethiopians in northern Somalia also remain vulnerable to trafficking as they seek employment in Puntland and Somaliland to fund subsequent travel to the Middle East. Traffickers smuggle Ethiopian women through Somalia to Yemen and other destinations in the Middle East, where they subsequently force them into domestic servitude and prostitution. Ethiopian children travel to Somaliland seeking employment but may instead be forced to beg on the streets.

**Child Soldiers:** During the year, there were continued reports of the Somali National Army (SNA) and allied militia, Ahlu Sunna Wal Jama'a (ASWJ), and al-Shabaab using child soldiers. The FGS expressed its commitment to eliminating the use of child soldiers among the ranks of the SNA and promulgated a code of conduct in 2014 prohibiting recruitment of children. The SNA made limited but incremental progress to implement the action plan on the recruitment and use of child soldiers signed in 2012. In February 2014, the federal government signed standard operating procedures for the reception and handover of children separated from armed groups and later established a child protection unit (CPU). International organizations and CPU staff gained access to the Jazeera training camp to monitor for the presence of minors in 2014. While screenings of soldiers conducted during the year did not identify child soldiers among new recruits, the UN continued to report the SNA and allied militias used child soldiers during the reporting period, including to man and inspect vehicles at checkpoints. The government referred some children to an international organization for assistance; however, reports indicated the SNA continued to arrest and detain children allegedly associated with al-Shabaab, and the UN expressed concern over a lack of transparency and personal liberty in the referral process. Most Somalis lacked birth certificates, and without an established birth registration system or standardized method for recruitment, verifying claims of child soldiering remained difficult. In addition, unverified reports indicated anti-al-Shabaab militias may recruit former al-Shabaab child soldiers.

Throughout areas beyond state control, al-Shabaab frequently recruited children for use by its militias, typically through abduction and deception. This terrorist group forced recruitment at mosques, Koranic schools, and facilities for neglected children. Al-Shabaab used children for direct participation in hostilities and other support functions in southern and central Somalia, including for planting roadside bombs and other explosive devices, serving as human shields during incursions, carrying out assassinations, providing intelligence, portering, and working in domestic service. The UN reported al-Shabaab's recruitment, from April to September 2014, of 150 children. Al-Shabaab also forcibly recruited young girls, exploited them in sexual servitude, and bound them in marriages with militants.

## GOVERNMENT EFFORTS:

Somaliland and Puntland authorities made minimal efforts to combat trafficking during the reporting period. The FGS continued to lack sufficient training, resources, and capacity to effectively prosecute trafficking offenses, protect victims, or prevent the crime, partly due to civil unrest and the ongoing campaign to degrade al-Shabaab and secure Mogadishu. The pre-1991 penal code (applicable at the federal and regional levels) outlaws forced labor and other forms of trafficking in persons. Article 455 prohibits and penalizes slavery, prescribing penalties of five

to 20 years' imprisonment. Article 464 prohibits forced labor, prescribing penalties of six months' to five years' imprisonment. Article 457 prohibits the transferring, disposing, taking possession, or holding of a person, and prescribes penalties of three to 12 years' imprisonment. All of these penalties appear sufficiently stringent. Article 408(1) prohibits compelled prostitution of a person through violence or threats, prescribing penalties of two to six years' imprisonment, which appears sufficiently stringent but not commensurate with those prescribed for other serious crimes, such as rape. The constitution, which remains provisional until the holding of a national referendum for a permanent version, prohibits slavery, servitude, trafficking, and forced labor under article 14. Article 29(6) prohibits the use of children in armed conflict, and article 405 prohibits all forms of prostitution. The Somali National Police retained responsibility for investigating and enforcing such laws; however, they remained understaffed, undertrained, and lacked capacity to enforce them effectively. The FGS did not investigate or prosecute trafficking crimes during the reporting period, including those involving officials alleged to be complicit in the facilitation of sex and labor trafficking.

The Puntland State administration and Somaliland possessed functioning legal systems and some law enforcement capacity; however, the regional governments reported no reliable data on trafficking investigations or prosecutions during the reporting year. In Puntland, the Ministry of Women's Development and Family Affairs oversaw anti-trafficking efforts, and the police force in Garowe operated an anti-trafficking unit, though it lacked proper training. Provisions under Islamic law in Puntland criminalize the murder of smuggled or trafficked persons, prescribing penalties of between one and five years' imprisonment. Laws in Somaliland prohibit forced labor, involuntary servitude, and slavery. The Ministry of Labor and Social Affairs in Somaliland operated a specialized unit to respond to suspected trafficking cases, and police and immigration officers played an active role in anti-trafficking efforts.

No governmental entity utilized formal procedures for the proactive identification or referral of trafficking victims. In Puntland, however, international organization staff trained officials on victim identification and referral procedures. The FGS, Puntland, and Somaliland authorities did not provide protective services to trafficking victims and relied fully on international organizations to provide victim reintegration services. During the reporting year, the Puntland government provided security to one externally-funded shelter; however, neither the federal nor regional governments provided financial support to organizations assisting victims. There were no legal alternatives to the removal of foreign trafficking victims from Somalia to countries where they may face hardship or retribution; however, government officials identified no foreign victims during the year.

Somaliland authorities continued to work with an international organization and the Migration Response Center in Hargeisa to establish a mobile health clinic for the IDPs surrounding the Mahamed Mooge settlement and a rehabilitation center for street children. Somaliland officials generally appeared overwhelmed with humanitarian cases and illegal immigration from Ethiopia, which often hindered identification and protection of potential trafficking victims. Government officials provided no data clarifying whether children who involuntarily engaged in prostitution or the commission of crimes across Somali territory were protected from criminal penalties under Somali law. Information on FGS efforts to protect trafficking victims remained limited. During the reporting year, federal and regional authorities, with external

assistance, oversaw the transfer of former child soldiers associated with al-Shabaab to the custody of an international organization.

Authorities across Somalia demonstrated minimal efforts to prevent trafficking during the year. Somaliland and Puntland authorities facilitated anti-trafficking awareness campaigns; however, the regional campaigns continued to conflate trafficking and smuggling. The FGS did not conduct any awareness campaigns during the reporting period. No government entity provided funding to agencies for labor inspections, and no inspectors were employed to enforce labor laws. Authorities across Somalia did not make any discernible efforts to reduce the demand for forced labor or commercial sex acts. The government did not provide anti-trafficking training or guidance for its diplomats deployed abroad. Somalia is not a party to the 2000 UN TIP Protocol.



Undocumented migrant workers are particularly vulnerable to trafficking because they often rely on third-party brokers or falsified work documents to obtain employment and residency.